THE HINDOO PATRIOT

With which is incorporated the Indian Field.

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Per Annum in Advance.
TOWN.....11-8.
MOFUSSIL.....13-4.

THE WEEK.

MONDAY, 26TH FEBRUARY.

THE CIVIL AND MILITARY GAZETTE reports a case of Police oppression in the Punjab. How the *pursuasive* influence of the Police was exercised will be seen from the following evidence of a shop-keeper in the Kuka outrage case in Amritsar:

"The Kotwal put me and three others into *havilat* that night, and ordered me to give evidence. He shut us up in a *kotha*. At first I refused to give evidence, being afraid; but now I have given true evidence!"

Another witness deposed as follows:

"The Kotwal and others came that night and asked me. I denied knowing anything through fear. A sepoy struck me with a stick and also my brother. I and three others were put in to *havilat* for three hours or so. The Kotwal then sent for us and asked us if we were satisfied. then he sent us away saying he would call on us to speak the truth next day, so next morning *I told what I had seen.*"

AT the conclusion of this man's evidence, one of the Assessors commenting upon these statements corroborated the witnesses as to the existence of the practice deposed to, remarking that "it is well known that all police evidence has to be obtained and is obtained in the manner above described." Could anything be more disgraceful than the disclosures made by these witnesses?

A CONTINENTAL SAVANT has made a chemical analysis of those beautiful poetic objects, tears. A tear, says he, is merely a chemical combination of oxygen, hydrogen, azote, &c., so that when it is said that "the charming creature's face was bedewed with tears," it is really meant that her visage was moistened by a solution of oxygen, hydrogen, azote, and other chemical bodies too numerous to mention.

WE ARE requested to publish the following contradiction:

In your issue of the 12th instant I read in the Summary of News that you give publicity to a circumstance which is altogether wrong and your informant must have misrepresented the fact by stating that "one of the Nurrail Zemindars was fined 500 Rs. in a case of affray by the Sessions Judge and the order was upheld by the High Court." The case was very different from what you state. An affray did take place between the ryots of the Nurrail Zemindars and the people of Babu Gobind Chundra Raya of Hatbariah in a place called Beldhoriah. Both the Zemindars with a large number of their ryots were committed to the sessions. The Nurrail Zemindars were acquitted, but some of their ryots were sentenced to various terms of imprisonment, who however on appeal to the High Court were all, without a single exception acquitted. The Hatbariah Zemindar Babu Gobind Chundra Raya was fined 500 Rs. who appealed against the order of the Sessions Judge, and his appeal was dismissed and the order of the Zillah Court upheld.

I hope you will be good enough to publish this letter in your *next issue as a contradiction* to what you have already stated, no doubt under a misapprehension of the facts.

THE CIVIL AND MILITARY GAZETTE has a violent article on Bengali loyalty. The writer falls foul of Sir Richard Temple for his recent testimony to the devoted loyalty of the Bengalis. He says:

"The Bengale will not fight against us, neither will they fight for us. At the time of the Sepoy Mutiny how many recruits were obtained from Bengal? How many of the wealthy landholders, merchants and money-lenders came forward with their riches to assist the exhausted exchequer? With the exception of the Nawab Nazim and the Maharaja of Burdwan, scarce one offered either person or purse to prop up the tottering state. And yet we are assured by Sir Richard Temple that the Bengalees are at heart "thoroughly loyal." We protest against such silly and mischievous flatters."

Indeed! Did not the fighting Munsif, a Bengali, hold his station in the North West against tremendous odds, when there was not a single European there? Did not Babu Joykissen Mookerjea and other zemindars offer to raise local levies during the Sepoy Mutiny? Did not the late Babu Issur Chunder Ghosal organize a special Police service to watch the passes through the Eastern districts and nightly keep watch and ward? Did not several zemindars lend their elephants and men? Did not the late Raja Pertap Chunder Sing Bahadur and Raja Komul Krishna Bahadur offer assistance in this way? We could name others, but we would refer the maligner to the records of Government. One thing we may tell him—it was the loyal support of the Bengalis through their public organs, which materially strengthened the hands of Lord Canning in resisting the tide of violent tirades of infuriated Anglo-Saxons, and which was duly appreciated in England.

IN THE SAME ARTICLE the writer remarks

"What the Bengalees may be in the future it is not for us to predict, though little inclined to adopt Sir Richard Temple's peroration, "Their sentiments of respect for the British nation and of reverence for the British Crown, will have been," he boldly asserts, "enhanced by the State ceremonies instituted for proclaiming the Imperial title, and by the honours bestowed on so many of their leading men during the Imperial Assemblage at Delhi." We confess that we very much doubt it, and should be glad to learn in what manner their feelings of respect and veneration have been stimulated by the bestowal of a silver medal upon the son of Moulvie Abdul Latif, or of a certificate of honour upon Esau Bin Curtis, the Arab horse-dealer."

We confess we are not in a position to answer this profound question.

THE QUESTION is being agitated in France as to the advantage of giving crushed food to animals. It is argued that it is essential that the food should sojourn a certain time in the mouth to be impregnated with the saliva; thus grains easily masticated are best utilised when mixed with cut fodder. Many farmers decline giving oats in any other but the whole state to horses and sheep, so long as these animals are vigorous and in full possession of their masticatory organs; and to secure their better digestion they are mixed with cut straw. Animals in the growing stage, when supplied with beans, peas, &c., receive this description of food after being preliminarily softened by steeping, or coarsely cracked. For cattle with bad teeth or weak digestion, the food ought to be bruised. Dr. Weiske has found that grains which have passed entire through the system, have not, contrary to the general belief, undergone any serious chemical change.

TUESDAY, 27TH FEBRUARY.

THE NEW OR RATHER REVIVED Agronomical Institute of France has been duly inaugurated in Paris; 24 students have been admitted after a brilliant examination; the number of "auditors," or students unattached is about 100. The highest form of scientific agricultural instruction perhaps to be found in any country, is given at this establishment; the Professors are all men of cosmopolitan reputation, and the appliances for study are unlimited. Experiments, and science in every branch that can be applied to agriculture, are conducted and taught. It may not be known, that this Institution had been founded at Versailles by the Republic of 1848, but was suppressed by the *Coup d'etat*, the Second Empire appropriating the grants.

AT THE last meeting of the Paris Academy of Medicine, M. Fea of Padua enlarged on the merits of maize or Indian corn as an article of food. He showed by comparative tables that maize is superior to all other cereals in fatty matters, and that it may be considered as a perfect article of food. He also replied to the objection that had been made to maize, *viz*, that it gives rise to certain diseases, notably *pellagra*; and demonstrated that the *penicillum glaucum*, which is supposed to originate this disease, never attacks maize unless it is damaged.

IT IS ANNOUNCED that the French Society of Agriculture have it in contemplation to organise a great International Congress of Agriculturists on the occasion of the Exhibition of 1878. The following subjects will be discussed:

1. The productive power of agriculture.
2. The relation of the Government to agriculture.
3. Produce and markets.
4. The various systems of agriculture.
5. The most salient features of agricultural progress in recent times.

We hope our Government will publish and circulate an English translation of the report of this Congress for the information of the people in this country.

THE COURSE of English diplomacy in Turkey it would seem was somewhat marred by the wife of the English Plenipotentiary. The London correspondent of the *Times of India* has the following on the subject:

"Lady Salisbury, however, seems, to use a vulgarism, to "have put her foot in it" at Constantinople. Her ladyship has long had a reputation as a slayer of silent things, but her smartness seems to be in excess of her discretion. To tell the wife of the Grand Vizier that, unless her husband and the Sultan gave in, their fate was sealed, was not just the way to smooth over diplomatic difficulties. Nor was it wise to pray, at all events in public, that the fate of Sodom and Gomorrah might befall Constantinople if the proposals of the Conference were rejected. It was for the misdeeds and indiscretions of the Marchioness, I suspect, rather than from any antipathy to the Marquis, that their carriage was hooted and pelted the other day by a mob of angry Turks. Midhat Pasha has a cordial detestation of the Marchioness of Salisbury, and he persuaded the Sultan to excuse himself from taking leave of the English Envoy and his wife, on the plea of toothache."

How often has the woman's tongue been the root of mischief!

THE LONDON ATHENÆUM has the following:

"Under the new regulations for the Indian Civil Service the limit of age will, as most people are aware, be lowered. The object of this change was to lengthen the interval between the first of the final examinations, and the selected candidates are to be allowed to remain if they choose in this country three-and-a-half instead of two years. This gives them time enough to go to Oxford or Cambridge and take a degree before proceeding to India, and it is understood to be the wish of the Secretary of State for India that they should do so. But with an inconsistency that is quite curious, the India Office has, it is said, declined to continue, beyond the two years of the old regulations, the allowance made to the candidates successful in the open competition. This, of course, makes it unlikely that many of the men will continue to study two years at either University. He who does so will find that, while he has been maintaining himself at the University, his less ambitious colleague has been drawing a salary for a year and a half in India, and has served eighteen months of the time necessary for the first pension. If Lord Salisbury wishes the India Civil Servants to have a University training, he should not punish them for complying with his desire. However, several of the selected candidates have already found their way to Oxford, although no special endeavour, we believe, has been made by the colleges to encourage them. At Cambridge, Downing College offers scholarships to be competed for next June, in which, in order to encourage Civil Service students, papers will be set in English Literature, Law and Political Economy, French and German, besides the usual Classics, Mathematics, and Natural Science."

SIR GEORGE CAMPBELL delivered an address to his constituents of Kirkcaldy, in which he touched upon Mahomedan feeling on the Turkish question. He said:

"Those Mahomedan petitions from India were most ridiculous affairs. They have seen the principal one in the *Times*, and he would venture to say that not a word of it was written by any Mahomedan. It was palpably and notoriously written by an English partisan of the Ministry. He was told by those who knew better than he did that they could trace the hand that did it. No doubt by agitation a certain sympathy for and possibly a pretended allegiance to the Sultan might be got up among certain limited, class in India, the more so as these movements were promoted, or, at any rate furthered, by the chief native officials of the Government who thought that they were acting with Her Majesty's present Government and might fairly take the same line as do people in England at Aylesbury banquets and Stafford-house meetings. He hoped that such proceedings would not be encouraged in India any longer. As to any general sympathy and union of Mahomedans, that was a matter of opinion, and his was very decided that there was nothing in it."

Sir George seems to be unaware that English education has created in the Indian Mahomedans an interest in Turkish politics.

SIR GEORGE CAMPBELL called the Delhi Assemblage a "tom-foolery." The summary of his speech on this point runs thus:

"It seemed that the Ministers of Lord Beaconsfield, especially Lord Lytton, after his recent tom-foolery, were attempting to create an aristocracy in India. It seemed that the aristocracy which was being banished in England was being replanted in India, but he was quite sure a system of that kind would not be tolerated. (Cheers.) Sir George referred, in incisive language, to the "indecency of the display and tom-foolery" at Delhi on New Year's Day, at a time when there was a famine in India."

The Government organ, the *Pioneer*, had however steadily pooh-poohed the famine so long as the Delhi Assemblage was not held.

A LONDON CORRESPONDENT, writing to a Madras paper, says that Her Majesty the Queen has ordered some two or three hundred of the Delhi medals in gold, about the size of a four-penny piece, and it is supposed that they will be given to ladies to be worn as medallions.

WEDNESDAY, 28TH FEBRUARY.

THE VIENNA Correspondent of the *Standard* telegraphs as follows:—"In political and noteworthy quarters it is stated that if there should be a vacancy in the present alliance of the Emperors, England would be the most preferred Power to fill it. It is added that Prince Bismark is notoriously exerting himself in such a direction. Russia, having knowledge of it, is especially careful at the present moment not to embroil matters here. The now prominent wish to see England join such an alliance, on a basis modified by experience, was expressed during the Conference at Constantinople."

IF THERE is any thing, which will put a drag upon Russia's aggressiveness, it is her finances. The external debt of Russia now amounts to the respectable sum of £260,000,000, whilst her floating debt is nearly £40,000,000. It has not been without great difficulty that she has been able to meet her engagements punctually during the last ten years,

and since 1862 the annual deficit of the Empire has fluctuated between £1,000,000, and £3,000,000. So Russia lacks the sinews of war.

THE FOLLOWING is a list of the awards to exhibitors in the Indian and Colonial sections of the British Department in the Philadelphia Exhibition. To Dr. Forbes Watson, Indian Museum, London, for vegetable fibres; Watson and Co., Bombay, for hammered work in silver, and wood carving, also for gold and silver jewellery; Murree Brewery Co., Punjab, for ale; the Indian Museum, London, four separate awards for collections of arms, minerals, cereals, silk and other fabrics; to Delmege, Reid and Co., of Colombo, for graphite, raw and prepared; J. Wiehe, of Mauritius, for a collective exhibition of sugar; and J. Horne, of the Mauritius Botanical Gardens, for vegetable fibres.

ACCORDING to the official statistics of the United States the merchandise imported into the United States during the year 1876 is valued at $426,000,000, and the exports at $590,000,000. The imports of specie reached $34,000,000, and the exports $56,000,000. The balance of trade in favour of the United States was $142,000,000.

THE LOWER HOUSE of the Peruvian Corgress has admitted a Bill by which the Executive is authorized to bring 100,000 European immigrants into the territory of the Republic, with the principal object, of colonizing the districts lying along the Peruvian. head-waters of the Amazon. These settlers will be furnished with a free passage, tools, implements and seeds for the first crop, and 15 hectares of land each. Payment will be made by the colonists to the Government for these advances in annual instalments reaching over the term of 12 years. For the necessary funds to cover the expenses National Bonds will be issued for the sum of 2,000,000 of soles, to be especially guaranteed by the repayments of the immigrants, and a further import duty of 10 per cent. on all foreign wines and liquors consumed in Peru. Some such measure ought to be passed by the Government of India to attract population to British Burma.

THE DEVIL that rideth the wind seems to be very busy. It is stated that on the 29th and 30th ultimo a violent gale raged over the whole of the British isles. In London one woman was killed and 13 others were dangerously injured. Several other accidents, involving personal injuries, occurred in other parts of the metropolis. At Birmingham two men were killed and six injured by the fall of a chimney shaft. A steamer, the Alexandra, which was being towed into Belfast Lough, sank, and seven of the crew were drowned. The weather was very stormy in Scotland, snow alternating with rain, thunder, and lightning. At Glasgow a chimney-shaft was struck by lightning, and partially destroyed, and a young man was killed by the falling mass.

THE CONVICTION of Dr. Slade, the alleged Spiritualist medium, for trickery and imposture, was quashed at the Middlesex Sessions, the Assistant-Judge holding that a technical objection taken by the defendant's counsel was valid. Fresh summonses have been issued at the instance of Dr. Lankester. The poor spiritualist will be allowed no peace.

THURSDAY, 1ST MARCH.

OUR ORISSA Correspondent writes to us as follows under date the 25th ultimo:

It gives me sincere pleasure to record any good act, however small performed by a native of this benighted and backward Province. You will be glad to hear that the Maharaja of Mourbhanj has given Rs. 5,000 for creating Scholarships in the Cuttack College and the Medical School recently established here. The money to be equally divided for the benefit of both these institutions. The Maharaja I hear has also opened a Charitable Dispensary in his estate, and is going to entertain the services of a European Surgeon for superintending it.

THE SAME Correspondent says:

The concourse of pilgrims at Puri is very great for the last fortnight; an unbroken mass of people from the North-West and Bengal moved towards the sacred city, there was scarcely a space left unoccupied on the Grand Trunk Road for the last few days; this influx of pilgrims is very unusual at this time of the year; it is not for seeing Joganath only that these myriads of men are coming, but for bathing in the sea which surges before his temple; to-day in the great day fixed for bathing.

People say that it is after the lapse of 150 years or so that this Yoga or conjunction of Planets, &c., has taken place, it is called Govinda Dwadasi. The following couplet will denote what is required for this auspicious conjunction:"

"বারার্ক পুষ্যসংযুক্তা ফাল্গুণেদ্বাদশীমিতে।
গুরৌচাপেরবৌকুম্ভে গোবিন্দদ্বাদশীভবেৎ॥"

"If it be a Sunday and the asterism Pushya (comprising three Stars, of which one is the Cancer) in the month of Falguna, and if Jupiter be in Sagittarius and the Sun in Aquarius, then it will be a Govinda Dwadasi. This ceremony or festival appears to be a remnant of the Vedic period, the word Govinda does not mean here Krishna but the Planet Jupiter."

That great man Sir Dinkar Rao came to see the great God at Puri, on his return journey the citizens of Balasore gave him an ovation at Nowabazai. Sir Dinkar received them kindly in his usual manner; on a Zemindar's explaining to him the position and privileges of the landed class in Orissa, he pointed out to the hills and said, "the men roving about there armed with bows and arrows are more free and happy than you all." He taxed his visitors very much for not moving the authorities for abolishing the ferry ghat abuses and for the sanitation of the Road-side chuttis (Serais) He said, "if you gentlemen move Government, in such matters, I am ready to give my humble assistance as a Hindu and countryman of yours."

A CORRESPONDENT, quoting the *Shomeprokash* writes to us as follows:

We are sorry to learn that the 'Sanathana 'Dharma Rakshini Sava is no more. The Hindu community has sustained a severe loss in it. The Sava advocated the cause of Sanskrit Literature. It used to examine boys in Smrite, Nava Sanhitya and Ayurveda every year, and confer monthly scholarship on fifty successful students. The Sava as well as Babu Khalut Chunder Ghose, deserve the hearty thanks of the public, for rendering valuable assistance in the revival of our ancient classics. But for want of sympathy and mutual co-operation the institution has come to an end. In the name of Sanskrit Literature we would ask those of our readers who were members of the late Sava and the community at large, to come forward and encourage those poor students of Tole, who like to prosecute their studies.

A BALASORE Correspondent writes that while the residents of the Jajpore Sub-Division of the Cuttuck district pay a double tax—a Municipal tax and the Road Cess, the last being illegally levied from the residents of a Municipality—they have been crying for some time past for repairs of the road from Jajpore to Balasore, which is largely resorted to by them but which is all but impassable.

THE SAME CORRESPONDENT says that owing to the defective way in which the Road Cess records are kept at Cuttuck some persons have to pay the same cases twice and thrice over and that there is no remedy against this evil. Another curious fact he notices is that while the list of the cess defaulters, with which the peons travel from door to door, shows a claim of one and two annas against the defaulters, which number nearly two hundred, the peon's fee is set down at one rupee from each payer.

KUMAR HURRENDRANARAIN SING, second son of the Raja of Maheshpore in the Sonthal Perganuahs, has given a practical turn to his liberality by undertaking to bear the cost of maintenance and education of 21 pauper school-boys of Maheshpore. These boys attend the higher class English School at Maheshpore.

THE FOLLOWING important Resolution has been passed by the Government of India:

"Government of India, P.W.D. Circular, No. 5, dated the 2nd February, 1877.

RESOLUTION:

"Funds are provided for the public service, chiefly from the general Revenues, Imperial or Provincial, but partly from local resources. As a rule the services supported from local resources are substantially as much *public* services as those of which the cost is defrayed from the General Revenues.

Nevertheless, it seems to be sometimes supposed that Subordinate Government Officers, even though their whole time is engaged by the State, should not be required to perform duties connected with services supported from local resources without separate additional remuneration charged to these resources

The President in Council accordingly deems it expedient to remark, for the guidance of Local Governments and Administrations, that, when the whole time of an officer is paid for by the State, the Government is at full liberty to employ him, in his own sphere, upon the public service in such manner as may be convenient; and that such an officer is not entitled to separate or additional remuneration for any duty which he may be required to perform connected with a service the cost of which is borne by Local Funds.

The only question which I conceive in such a case is whether a part of the officer's salary should be charged to the Local Funds concerned.

An officer, who would have no claim to extra remuneration from the General Revenues if any duty which he may be required to perform were connected with some service, the cost of which was a charge upon the General Revenues, is not entitled to extra remuneration, because such duty may be connected with service paid for from Local Funds."

In the spirit of this Resolution officers, who do Road Cess work in addition to their other public duties, are not entitled to the extra remuneration, which they at present draw.

THE MILITARY correspondent of the *Bombay Gazette* predicts war in April. He describes Russia's plans and Turkey's unpreparedness. He asserts that England will support Turkey with a fleet and thirty thousand troops. Lord Napier commands. We have our doubts. Russia lacks the sinews of war.

FRIDAY, 2ND MARCH.

IT IS said that Lord Lytton has called for detailed translations of the articles in which the native press has expressed its views regarding the Delhi Assemblage. Perhaps this move is due to orders from England. The Indian Council was divided in opinion, as our London correspondent stated, as to the utility of the Assemblage.

IT IS considered probable that Sir Richard Temple will take a run home to England for a month, leaving Lady Temple at Mahableshwar, before he assumes the office of Governor of Bombay.

THE BAMBOO, it is said, has just flowered and seeded in the Guddalur jungles, and thousands of the starving ryots from the Gundlepet and adjoining taluks in Mysore are now subsisting on this "bamboo rice." The flowering of the bamboo is considered by natives a bad omen.

THE FLUCTUATIONS in Government stock are causing uneasiness. A month ago four per cents. were quoted at 97-14-0, they subsequently advanced to 99, and again fell to 98-4-0, at which latter rate they close less firmly. The new loan we fear will still more affect the market.

THE SANCTIONED EXTENSION to Muzzufferpore of the Tirhoot State Railway was opened by the Hon'ble Ashley Eden on the 24th ultimo. Characteristically enough, His Honor who hates fuss, made no speech on the occasion.

WE ARE sorry to record the death of Mr. R. Kerr, long connected with the Calcutta Press. He was identified with the movement for the reform of the *Kinthals*. He wrote a pamphlet on the subject.

CAPTAIN HENRY of Bombay is dead, and a public meeting will be held there to perpetuate his memory. The *Samachar* pays the following tribute to the memory of Captain Henry:—"The community both native and European, mourn the untimely death of this favourite of all classes. A worthy, energetic, and genial man, Captain Henry will be specially remembered by the natives of this island for his kind and courteous bearing towards them at all times and places." He was the Col. Young of Bombay.

THE ANNUAL CONVOCATION of the Calcutta University will be held on Saturday next. His Excellency the Chancellor will preside Lord Lytton will have another opportunity of taking the public into confidence.

COLONEL MALLESON was entertained at dinner by the Trades' Association. In reply to the toast drunk to his health he thus gave the history of the Red Pamphlet, of which he was the author:

I wrote the Red Pamphlet when the Press of India was gagged in order that the truth might reach our countrymen at home, and on this subject I might tell you that the late Sir John Lawe assured me four years ago that though he hated the Political views of the Red Pamphlet, yet that having gone over the same ground, he had not found in it one single error of fact. I have been told, gentlemen, that during my absence in England a certain journalist stated that Col. Malleson had only written one chapter of the Red Pamphlet, whilst he had taken credit for the whole. The fact is that I wrote every line of it except the last chapter, and that chapter was compiled by an intimate friend from my notes to enable me to catch the mail. We were writing up to the last moment.

The gallant Colonel is a veteran Captain of the Pen. He was quite right when he said that he had written more for the press than most men.

SATURDAY, 3RD MARCH.

HIS EXCELLENCY THE VICEROY has been pleased to confer upon Sirdar Imam Baksh Khan Mazari, and Sirdar Jamal Khan Longhari, Biluch Sirdars of the Dera Ghazi Khan District, the title of "Nawab," as a personal distinction.

The *Spectator* says that the actual revenue of China is believed to amount to £25,000,000, raised by taxes on land, grain, the transit of goods, foreign imports, and a few other imposts, and by the sale of ranks and degrees. Of this amount £15,000,000 is believed to be spent in one way or another upon the army. The remarkable fact in the account is the small amount raised by the land tax—less than £6,000,000 sterling.

IT WOULD APPEAR from the London letter of the *Bengalee* that Her Majesty the Queen has had another narrow escape from the hands of an assassin. The reader might remember that some years ago a half-witted boy, of the name of O'Connon, presented an old useless pistol at Her Majesty as she was driving out of Buckingham Palace. On conviction he was sentenced to a short term of imprisonment, a few months, and after that had expired, he was sent to one of the Colonies, where employment was found for him. He lately returned to England, and two detectives in plain clothes were appointed to watch him continually. One fine morning he gave the slip, and after considerable trouble the detectives traced him at Windsor, where he was found hiding again, waiting for the Queen. He has since been placed at the Coloney Hatch Lunatic Asylum.

FORTUNE has been singularly favourable to Dr. Schliemann in his antiquarian researches in Asia Minor and Greece. He has discovered the ruins of ancient Troy, of the Palace of Priam and his tomb. More recently he went to Mycenæ in Greece, near the ancient Argos, where the Greeks were called Argives. There he unearthed, with wonderful sagacity, the tombs of Agamemnon and his relatives, who were slaughtered by the perfidy of his wife Clytemnestra and her lover Ægisthus.

WE ARE GLAD to see it stated that Moulvi Golam Ali Chowdhery, Zemindar of Hatooria in Furreedpore, has given a donation of Rs. 10,000 in aid of the fund now being raised with a view to meet the cost of enlarging the Dacca College Building.

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WE HAVE RECEIVED the first number of a new periodical called the *Indian Student*, the primary object of which is to explain difficulties in University text-books. The project owes its origin to the Rev. Kalichurn Banerjea, M. A., and several missionary and other educationists have promised to support it. We hope the co-operation of educationists in the other provinces will be secured, and opportunities will be taken by them to compare notes with each other. We wish the project every success.

OUR CONTEMPORARY of the *Indian Daily News* misunderstands us if he thinks that having regard to Mr. Kirkwood's scandalous proceedings we wish "to revolutionize on his sole account, the whole system of criminal procedure which makes occasional misconduct like his possible on the part of a wrong-headed man." When we ask for a reform of the system we do so on principle. The vast discretion vested in the Magistrate is inconsistent with the liberty of the subject, and for the last three years we have been publishing cases of gross abuse of power. Is there any civilized country, where a magistrate can order the arrest of a person on mere suspicion?

WE TAKE from the morning papers the following telegrams of the week:

St. Petersburg, 25th February.—Rumours in circulation that crossing of river Pruth by Russian army was imminent have been denied here. Measures which the Russians will eventually adopt towards Turkey are dependent on replies which the powers will send to the circular issued by the Russian Government on 4th February, and the course that events may take at Constantinople.

19th | The terms of peace between Servia and the Porte have been arranged.

Washington, 24th February.—Electoral commission decided, Oregon returning in favor of Hayes.

Constantinople, 26th February.—The Shah of Persia has assured the Porte that the massing of his troops on the frontier is simply to punish the Turcomans. The basis of the peace negotiations between Turkey and Servia is *statu quo* ante Bellum, and the evacuation of the Servian territory by the Turks twelve days after the armistice ends. No formal treaty has been drawn up, but Prince Milan receives a new firman from the Porte. Negotiations for peace have been opened between Turkey and Montenegro.

THE INDEFATIGABLE MOONSHI PEARYLAL is making steady progress with his marriage reform scheme. A correspondent informs us that meetings were held at Pebbhit and Jahanabad in the Rohilkhund Division early last month—in the first named place they met three times and at Jehanabad once. The most remarkable and noticeable event of the proceedings was that one Lala Umra Sing Rais of Jahanabad, whose son's marriage was to have been celebrated on the day following the date of meeting at Jahanabad, and who had made large preparations for celebrating the nuptials, rigidly and heartily adhered to the economy pledge and curtailed all extravagant displays. His example was followed by the father of the bride named Lala Kunhaya.

THE DEATHS in Calcutta during the week ending 24th ultimo reached the normal figure. There were in all 201 deaths, of which ten were from cholera, 23 from dysentry and diarrhœa, 68 from fever, 15 from convulsions and 8 from pthisis. There were only 3 cases of small pox and 2 of measles.

A WAG evidently under the influence of the weather has put in circulation a story to the effect that Babu Koonjlal Banerjea will be pitchforked into a District Judgship or pensioned off and that Babu Protapa Chandra Ghosha will succeed him in the Calcutta Small Cause Court. There is not the slightest foundation for this story.

WE HAVE to acknowledge with thanks the receipt of the under-mentioned publications and periodicals:—

1. Report on the administration of the Land Revenue Department of the Central Provinces for 1875-76. 2. On Russian Proverbs as illustrating Russian manners and customs, by the Rev. J. Long. 3. Depreciation of Silver. A paper read by Col. A. B Rathborne before the East India Association on 7th February 1877 4 Records of the Geological Survey of India, Vol X. Part I. 5. Journal of the Asiatic Society of Bengal, Vol XLV. Part I. No. III—1876. 6. Health Officer's Report on the Public Health of Calcutta for 1876. 7. Why Nagri character and Hindi Language should not be introduced into the Courts and other offices of Behar. A memorial to Government submitted by the people of Behar. 8. The Mahabharut translated from the Sanskrit Text into Bengali verse by Nimai Churn Singha. Part I. 9. Are you Kamini?—a drama in Bengali, by Hurrish Chunder Dey. 10. Geneological Tree or pedigree of Moulvie Imdad Ali Khan Bahadoor. 11. A congratulatory ode in Persian composed by the Ruler of Loharoo in honor of the Queen's assumption of the title of Quaiser-i-Hind. 12. The *student*—a monthly journal in English edited by Kali Churn Banerji, M. A., B. L. Vol I No. I. 13. Mahaprosthan—a Romance in Bengali by Prokash Nath Mullick.

MESSRS. ROY BROTHERS, ink manufacturers, have sent us some sample bottles of ink of their manufacture. They have made eight varieties of ink, black, blue, red, violet, blue-black, green-black, violet black and ladies' fancy, besides shoe ink. In addition to their quality they have a special recommendation in their cheapness. To large purchasers a liberal discount is given. The specimens forwarded to us are good. Intending purchasers are requested to apply to them at 44 Beniatola Lane.

NOTICE.

INDIAN ASSOCIATION FOR THE CULTIVATION OF SCIENCE.

Lecture by the Very Rev. Father Lafont S. J. on *Thursday 8th March* next, at 7½ P. M. *Subject*: Reflection of Light.

Rules of Admission to Lectures of the Association.

Admitted invariably by Ticket.

Donors admitted free to all Lectures. Subscribers prepaying for the year or the month admitted free to all the lectures of the year or the month respectively.

Admission Fee for non-subscribers—*Annas* 8 for a single Lecture: Or Rs. 3 in advance for 10 consecutive Lectures.

Tickets to be had of the clerk at the office of the Association between 10½ A. M., and 4½ P. M. (Sundays excepted), and on the day of Lecture up to the time of Lecture.

MAHENDRA LAL SIRCAR.
Honorary Secretary.

The Hindoo Patriot.

MONDAY, MARCH 5, 1877.

THE MEETING ON THE CIVIL PROCEDURE BILL.

PUBLIC feeling against the obnoxious clauses of the Civil Procedure Bill has at last been roused. The memorial of the British Indian Association on the subject has evidently opened the eyes of the public. As soon as it was published in the papers the public saw the dangerous tendency of some of the changes made, and a requisition signed by a large number of propertied, educated, and well-informed gentlemen, was addressed to the President of the British Indian Association, requesting him to convene a public meeting for the consideration of the Bill. The President complied with the requisition, and convened a public meeting on Saturday last. The meeting was well attended, principally by gentlemen with property at stake, with large experience of the working of the present law, and with the best opportunities for estimating correctly the evil tendencies of the innovations made. The Maharaja Ramanath Tagore C. S. I., the venerable leader of native society, was voted to the chair. He spoke a few wise and earnest words. He condemned in emphatic terms the obnoxious provisions of the Bill, advised the meeting to send up a representation, moderate and respectful but at the same time firm. He told his auditors that from his experience of the working of the Legislative Council he knew that the Council was always willing to hear outside representations, and that there was one member particularly, (meaning Sir Arthur Hobhouse,) who was so fair, reasonable, and candid that if he was convinced of any truth he would be the first to embrace it. Raja Degumber Mitter C. S. I., who moved the first Resolution, pointed out in pregnant words the wrong economic principles, on which the provisions giving power to the Court to regulate the rate of interest, and thus to fetter loan transactions or the circulation of money, were based. He said that the consequences of this arbitrary interference with the value of money would not be less disastrous than with the value of any other commodity. He was followed by Babu Doorgachurn Law, who seconded the Resolution, and who added the weight of his experience as a merchant and capitalist. Babu Doorgachurn said that if the innovations referred to should become law, they would break the backbone of commerce, *viz.* credit Dr. Rajendralala Mitra, who was suddenly called upon to move the second Resolution in the absence of the appointed speaker, spoke with his usual felicity of expression and pointed humour. He shewed with great effect that the "so-called Shylocks" were very useful members of society, that not only poor ryots but even crowned heads could hardly live without taking their assistance, that though wise men might advise others not a lender nor a borrower be, how few could practically follow the advice, that difficulties put in the way of the lender would only redound to the injury of the borrower. Babu Hemchunder Banerjea, Pleader, High Court, ably seconded him. In a sensible and practical speech he cited several instances showing how the existing law interposed great difficulties in the way of the execution of decrees, and remarked that the multiplications of those difficulties would only aggravate the evil. He knew one case in which the judgment creditor could not execute his decree for 28 years! The uncertainty of right, title and interest, which were under the present law sold in execution of decree, tended to raise the rate of interest; if the law were amended in this direction, the amendment would be a great boon. Mr. Manomohun Ghose, who moved the third Resolution, made an able and vigorous speech on the provision of the Bill withdrawing from the Munsif and Subordinate Judge the power of entertaining suits against the Government and public officers. He traced the history of this provision and effectively demolished the arguments in support of it. He was followed by Babus Amerendranath Chatterjea and Judulal Mullick, both of whom spoke well. The fourth Resolution was moved by Babu Surendranath Banerjea, who in emphatic and eloquent terms deprecated hasty legislation, pointed out that the amended Bill was to all intents and purposes a new Bill, that according to the shewing of its Hon'ble and learned mover, it required much thought and deliberation, that it had not been translated into the vernacular languages with the exception of one or two, that at the present time it could not be studied by the people of Madras and Bombay, who were now in the throes of a serious calamity, and that it ought not therefore to be proceeded with in haste. He was seconded in fitting and well chosen terms by Babu Girijabhusan Mookerjea, Premchand Roychand Scholar. Babu Girijabhusan protested against over-legislation, hasty legislation, and sentimental legislation.

Thus ended the meeting of Saturday last. We hope it will induce the Legislature to pause. It will be scandalous if the Bill be passed into law in hot haste, when nine-tenths of the people have not seen it, when the local Governments of two Presidencies have not had time to study it, when public opinion, wherever it has had an opportunity to pronounce itself, is so strongly opposed to its innovations.

WEIGHED IN THE BALANCE AND FOUND WANTING.

WITH deep regret we record the verdict of the public upon the action of the High Court in the now notorious Fenwah cases. For the last six months these cases have agitated the public mind; the highest legal tribunal was moved to try them; the best available professional talent was employed to argue on both sides; considerable expense was incurred for the conduct of the trial; the ryots being poor, their sympathizers, both European and Native, raised a public subscription to pay the Counsel; the Crown also went to the expense of employing Counsel; no less than four times were the cases brought up before the High Court, and the arguments lasted for days together; and what is the result? The Court has quashed the judgment of the Magistrate in two cases, but considers it "unnecessary to discuss the points raised in argument" in the third case. We have already published the judgment in the Nuisance Case. We give below the judgment in the Rioting case:

QUEEN *vs* JAFFER ALI AND OTHERS .., Petitioners.

Judgment in the Rioting Case.

IN this case a complaint of rioting under Section 147, Indian Penal Code, had been partly heard before a Deputy Magistrate having full jurisdiction to try the case, and several witnesses had been examined for the prosecution, when the Magistrate of the district thought fit to withdraw the case from the Deputy Magistrate and to refer it for trial to the Joint-Magistrate in the same district, who convicted the prisoners. The case was transferred upon the District Magistrate's own motion without any application having been made to him, and without any notice having been given to the prisoners of what was about to be done.

We think that this order of transfer was illegal. It is said that the order was made under section 47 of the Criminal Procedure Code. We doubt whether that section authorized the removal of a case after the trial had proceeded so far as it had proceeded in this case. But however this may be, even if the Magistrate had power to remove this case, it is clear he could not do so without giving notice to the prisoners and hearing anything they had to say in the matter This is the established practice in this Court when making similar orders under section 64 for the transfer of cases

In our opinion, therefore, the conviction should be set aside, and the fines, if paid, refunded to the prisoners.

(Sd.) W. MARKBY.
" W. AINSLIE.
" G. G. MORRIS.

In the third or Perjury case the Court has recorded the following extraordinary judgment :

QUEEN *vs.* JAFFER ALI AND OTHERS ...Petitioners.
Judgment in the Perjury Case.

FROM the manner in which the memorandum of the 21st March 1876 has been dealt with, we have entertained considerable doubts as to the legality of the proceedings, but we think it unnecessary to discuss the points raised in argument, because we are of opinion that, under the circumstances of this case, that portion of punishment awarded by the Joint Magistrate which has been already undergone by the petitioners is adequate punishment for the offence established, on the assumption that the whole proceedings have been regular, and that the conviction is open to no legal objection. It was stated on behalf of the Crown that no opposition would be offered to the remission of the remaining portion of the sentences, if the Court should entertain the opinion above expressed.

(Sd.) W. MARKBY.
" W. AINSLIE.
" G. G. MORRIS.

As we read it, we hang down our head. Is it to be believed that the highest court in the land should shirk its duty, but what other construction can be put upon this extraordinary judgment? Why does the Court consider it "unnecessary to discuss the points raised in argument," when the Judges set out by saying that "we have entertained considerable doubts as to the legality of the proceedings?" If there were "considerable doubts," we ask, with due deference, should not the proceedings have been quashed? Did the Court duly weigh the gravity of the charge against the ryots? They had been convicted of perjury, and complained that they had been illegally convicted of this foul crime? Suppose a zemindar, an Indigo planter, a merchant, or for the matter of that a Civilian, had been illegally convicted of perjury, and he had appealed to the High Court for redress, would the Court have sat with folded hands, with stoical indifference, and said that it considers it "unnecessary to discuss the points raised in argument?" Would it not have been wanting in its duty if it had said so? Is there a single instance of such failure of duty on the part of the highest tribunal in the country? Of course the ryots in the Fenwah cases were poor men, and they have no tongue to give expression to the feelings, which must have surged within their breasts, when they heard of this extraordinary decision of the High Court. The Court did not consider it "unnecessary" to pronounce its decision in the two other cases, but it sealed its lips in the third case, which was the most important, and which presented the proceedings of Mr. Kirkwood in a most revolting light. If it was "necessary" to pass judgment in the two cases, why not in the third? Was the charge lighter in the third than in the other two cases? Was it a light matter to the poor ryots that they should remain branded as perjurers for life? They will not be sent back to jail, but what of that? If they had been legally convicted, the majesty of the law ought to have been vindicated, and they ought to have been sent back to jail? If they were innocent, the stigma upon their character ought to have been wiped away. But the High Court has not expressed opinion one way or another, though it is not concealed that the Judges "have entertained considerable doubts as to the legality of the proceedings." On the contrary when Mr. Woodroffe argued the matter on behalf of the ryots Mr. Justice Markby, apparently with the concurrence of his colleagues on the bench, remarked that he (Mr. Woodroffe) need not go into other points as their Lordships were satisfied with his objection about the absence of judicial sanction, and said so to Mr. Ingram, advocate for the Crown, in fact pulled him up on that ground. The High Court is looked upon as the bulwark of the rights and liberties of the people; however wrong-headed, arbitrary or capricious may be the courts below, the moment a suitor comes before this Court, he feels that justice will be done to him; the stream of justice, which flows from this fountain-source, is clear and pure; it is not charged with the dirt of local prejudice, passion or executive whim or obstinacy. It commands the confidence of all, rich or poor, lettered or unlettered, strong or weak, European or native; but how has the decision of the Court in this Fenwah case been received in the country? What will the poor ryots think of it? How will the subordinate judiciary and executive regard it? If example teaches better than precept, what moral effect will this unfortunate decision or rather indecision of the High Court have upon them? If they had shirked their duty in similar cases, and declared that they considered it "unnecessary" to express their opinions one way or another, would not the Government have told them that they were paid to do that duty, and that neglect to perform it was a breach of their covenant with the public which paid them? And what was the difficulty before the Judges to deliver their opinion? They had patiently heard counsel on both sides; they had closely examined the records; they had adjourned from time to time to get the whole of the records; they had all the nice points of law involved in the cases argued to the fullest extent, and yet they would not give their opinion! It is impossible for us, mundane creatures, to estimate correctly the influences which work upon the Gods on Olympus, nor are we competent to sit in judgment upon them, but judging their act by the standard of our every-day life we must say that these gods exist for the good of the creation below, and that if they forget the sacredness of their charge, they cannot lay claim to that homage which it is our duty to render unto them. How can the Judges command the confidence of the public, if they do not shew confidence in their own judgment? We have fallen upon strange times. On the one hand the Legislature is about to pass a law, which proposes to take away the jurisdiction of the Courts of the first instance over suits against Government and public officers. On the other hand we see that a case was laid before the highest Court, in which revelations of a most damaging character regarding the proceedings of a public officer were made, and the Court refused to express any opinion. In inaugurating the new Empire Lord Lytton at the Delhi Banquet uttered these stirring words: "I do most sincerely believe that one single act of deliberate injustice, one marked and conspicuous departure from the principles of equity which have hitherto guided our Government,—one clear instance of either inability or unwillingness to redress a wrong, whoever be the sufferer, high or humble, native or European,—*I do* most sincerely record my conviction that *this* would be more discreditable, and therefore more disastrous to the British Empire in India, than any financial or military catastrophe." Let his Lordship read those memorable words of *his* in the light of the decision of the High Court in the Fenwah case, and say whether that decision is in consonance with the noble sentiments, to which he gave utterance at Delhi. We are jealous of the independence and dignity of the High Court, but does this decision uphold the dignity of the Court? It is the action of the Judges, which confer dignity upon the Court; it was men like Barnes Peacock, Trevor, and Phear, who raised the dignity of the Court; and we appeal to the Judges, who have passed this extraordinary decision, to say whether their action is calculated to maintain the rich heritage, which has descended to them? We need not say more.

SHUN THE LIGHT!

Is it the object of the Legislature to shun the light in enacting the provision in the Civil Procedure Bill to withdraw from the Munsif and the Subordinate Judge the power of entertaining suits against the Government and public officers? If we look to the origin of this provision, we cannot resist the impression that some such feeling must have been at work when the proposal was made. It would appear that it originated with the now celebrated Cutwa encroachment case. It was thus reported by the Legal Remembrancer in his annual report for 1871-72:

"There was one case, in this district under the District Town's Act which it may be as well to notice. The Deputy Magistrate of Cutwa, proceeding under Bengal Act VI. of 1868, had ordered the plaintiff to remove three steps which were found after a regular inquiry to be an obstruction to, and a recent encroachment on the public road. The plaintiff carried out the Deputy Magistrate's order and then sued the Government and the Deputy Magistrate for damages on the ground that the steps were not obstructions and further that they had been in existence before the District Towns' Act had been extended to Cutwa. In this case there was clearly no cause of action against the Government, and so far as Government was concerned, the Moonsiff dismissed the case: but the Moonsiff considered that he had jurisdiction against the Deputy Magistrate, and holding contrary to the finding of the Deputy Magistrate that the steps had been some 20 years in existence, he gave a decree in the plaintiff's favour. It seemed to me that the Moonsiff in giving this decree had acted entirely without jurisdiction. The Deputy Magistrate is clearly in no way subordinate to the Civil Court, and yet the Moonsiff virtually constituted himself a court of appeal over the Deputy Magistrate. At my suggestion an appeal has been filed against this decision on the following grounds:—

(1.) That the Moonsiff has acted without jurisdiction in examining the order of a Magistrate passed by such Magistrate judicially and in a matter within his jurisdiction.

(2.) That the Civil Court has no authority to determine what are, and what are not, obstructions under Bengal Act VI. of 1868, inasmuch as the determination of these questions has been expressly vested in the Magistrate, subject to the revision of the Commissioner of the division and the Government of Bengal.

(3.) That the plaintiff, if aggrieved by the order of the Magistrate, should have sought redress in the manner prescribed by the Act; his resort to the Civil Court and the assumption of authority by the Moonsiff were altogether unauthorized.

It is obvious that the greatest confusion in the administration of the law would result if the Civil Court were permitted to take cognizance of questions which the Legislature has expressly left to the cognizance of the Magistrates."

Sir George Campbell, who was then Lieutenant Governor of Bengal, made the following remarks upon this case, in his Resolution upon the Report:

"His Honor fully agrees in the Legal Remembrancer's remarks in reference to the decision of the Moonsiff of Cutwa in the case reported in paragraph 19. It was not only illegal but savours of a spirit of antagonism which the Lieutenant-Governor has more than once had occasion to notice on the part of the native judicial officers towards the executive. The result of the appeal which has been preferred in this case should be communicated to Government."

In the next year's report the Legal Remembrancer stated that the case was in appeal before the High Court. Sir George Campbell took this opportunity to pass a scathing censure upon the Munsif. In the report for the succeeding year the Legal Remembrancer made the following remarks upon this case:

"A case of great importance to all Magistrates was decided adversely to them during this year. I refer to the action brought against the Deputy Magistrate of Cutwa, mentioned in the last two years' reports."

"By section 1, schedule K, of Act VI, 1868 (B.C.) Whoever builds any wall or erects or sets up any fence, rail or post, or other obstruction, or encroachment in any public highway, or in or over any open drain or aqueduct, along the side of any such highway, shall be liable to a fine not exceeding Rs. 50 and the Magistrate shall have power to remove any such obstruction or encroachment, and the expenses of such removal shall be paid by the person erecting the same, and shall be recoverable from him in the manner provided in section 83 of this Act."

"The Deputy Magistrate of Cutwa, proceeding under this section, fined a person Rs. 20 for obstructing and encroaching on the public road by building three steps leading from his house to the highway, and he further directed their removal under the power given to him in the latter part of the section. On appeal, the decision of the Magistrate was not shaken, and then the defendant, carrying out the orders, sued the Deputy for damages on the ground that the steps were not an obstruction. The suit was decreed against the Deputy Magistrate in both the lower courts."

"A special appeal was preferred, and on the case coming before a Division Bench of the High Court, the Judges were equally divided in opinion. Mr. Birch held that the Deputy acted judicially and could not be sued. Mr. Markby, that his action was wholly executive, and that he was liable not personally, but as Chairman of the Cutwa Municipality."

"Considering the importance of the case and the different conclusions arrived at by the Judges, I recommended a special appeal to a Full Bench against the decision of the Division Court, which followed the opinion of Mr. Justice Markby the senior Judge. The appeal was dismissed"

"Couch, C. J., in delivering the opinion of the Court said, "I think therefore that Mr. Justice Markby's decision, that the action was not barred either by Act XVIII of 1850, or by the general law, is a right one, and that this appeal ought to be dismissed with costs."

"The effect of the High Court's decision will be, I fear, practically to remove the latter portion of these two sections from the statute-book. No Magistrate or Municipal Commissioner will be inclined to act upon the summary powers of removal given him, when he knows that such action will expose him to the trouble and vexation of a civil suit."

"It seems advisable either to prevent the recurrence of such actions by enacting that Magistrates and Municipal Commissioners so acting act judicially; or that the decision should be circulated in order that they may clearly understand their position and liabilities under the Act."

Sir Richard Temple was now Lieutenant Governor of Bengal, and he did due reparation to the Munsif, the head and front of whose offending

was that he had done justice in the case according to the law in force. We transcribe Sir Richard Temple's remarks:

After several appeals the result is now definitely reported of the case against the Deputy Magistrate of Cutwa, which had been the subject of previous communications from the Board. The proceedings in the case had been commenced on in the resolution passed last year by Government upon the Legal Remembrancer's report; and judging from the statements then before the Government, the conduct of the Moonsif who tried the suit was unfavourably noticed. It appeared to Sir George Campbell, from the earlier reports of the case, that the action of the Moonsif in disposing of the suit against the Deputy Magistrate savoured of hostility to the executive authorities. The Lieutenant-Governor has now before him the final result of the appeal before the full bench of the High Court, which was rendered necessary by the difference of opinion between the two Judges who heard the first special appeal, in which it is noticed that the junior Judge took the view which was held by the Government, that the Deputy Magistrate had acted judicially and could not be sued. The late Chief Justice, in delivering the opinion of the full bench, dissented from this opinion and dismissed the appeal with costs. The Lieutenant-Governor feels that, under the circumstances, the Moonsif is entitled to an absolution from the censure recorded by the Government on his proceedings, and is glad of this opportunity of notifying that the expression of censure is withdrawn. The effect of the High Court's judgment in the matter is important; and as it will no doubt affect the proceedings of Magistrates in dealing with cases of obstruction or encroachments on the public highway under the Municipal Acts, attention is necessary to the state of the law and to the liability to which it exposes the executive authorities in a not very uncommon detail of their administrative duties. The Lieutenant-Governor will be glad to receive the proposals of the Legal Remembrancer regarding a change in the law, in view to its amendment, in the Bill which will shortly be under the consideration of the Bengal Legislative Council for the consolidation of the Municipal Acts.

The result is the provision under notice.

In commenting upon this section the Hon'ble F. R. Cockerell made the following remarks in the debate upon the Civil Procedure Bill in September last:

"Of the ill-effects of the present system, under which the Government and its officers could be sued in any Court in Bengal,—where from various causes the Government and its Officers were probably much more frequently sued than in any other province,—he (Mr. Cockerell) could give no better evidence than reading to the Council extracts of a valuable paper on the subject of this Bill contributed by the Legal Remembrancer of Bengal (Mr. Bell)."

"He (Mr. Cockerell) concurred entirely in this view of the question, and from his own experience as Legal Remembrancer could confirm all that had been advanced by Mr. Bell against the present system. The cases cited by that gentleman were suits against the Officers of Government in respect of public acts, but heedlessly brought, in which the Government had been plaintiff, dismissed by Munsifs who proceeded to deliver themselves, in their recorded judgments upon the cases in question, of gratuitous diatribes against the policy pursued by Government on large and important questions, in regard to which from want of knowledge of the circumstances they were not in a position to form any opinion. It was on every consideration inexpedient to allow such opportunities for the arraignment of the conduct and action of the Chief Executive Officer of the district, as the local representative of the interests of the State, by the Judges of the lowest grade of Civil Courts."

Now, what does all this shew? The executive officers not unfrequently push their vigour beyond the law, and the aggrieved receive justice from the Civil Court. Of course the jurisdiction of the Civil Court is not taken away altogether by the section under comment, but a most unmerited slur is cast upon the native judiciary. They are not to try suits against the Government and public officers. Perhaps it is not palatable to the pride of these officers that they should be made amenable to the jurisdiction of the Munsif, and hence the withdrawal of that jurisdiction. In other words there should be one set of tribunals for Government and public officers, and another set for the people. If the Munsif is fit to be trusted with the trial of suits between private parties, why is he not fit to be trusted with the trial of suits against Government and public officers? What is sauce for the goose ought to be sauce for the gander. The Munsif is as much a servant of the Crown as the Executive Magistrate, and would the legislature take away the jurisdiction of the Magistrate over the Munsif if the latter was accused of an offence? Why should the Magistrate then be relieved of the jurisdiction of the Munsif? It is said that there is an antagonism between the judiciary and the executive. We cannot conceive why there should be such an antagonism. The judiciary administer the law, and if the executive act within the bounds of law, surely they have nothing to fear. It is because the executive now-a-days push their vigour beyond the law, they render themselves liable to prosecutions under the law, and is it meet or just that the Legislature should indirectly encourage them in their lawlessness by chartering them as it were to shun the light?

It is most lamentable that the Government should sow seeds of distrust in the Native Judiciary at a time when it is loudly testifying to their ability, legal acumen, and high character. We all regret that questions of color and creed should arise in the administration of justice in this country, but in this instance it is the Government, which is instituting the invidious distinction. The question is not of law but of policy, and we ask is it a just, righteous and wise policy? If the Munsif is at times too outspoken, that ought not to be a matter of regret or censure, for the greater the light thrown upon the proceedings of public officers, the better for the cause of justice and good government.

THE PRESIDENCY MAGISTRATES' BILL.

THIS Bill has been passed into law, but not without protest. The Hon'ble Mr. Cowie representing the European community, said, "he could not sit content to see Magistrates with no great experience authorised to sentence prisoners to the extreme punishment of two years' imprisonment. In London, Police Magistrates were all barristers of considerable standing and experience—sometimes of ten, twenty, and thirty years' standing—and he believed that the extent of imprisonment they could award was six months. Every offence deserving of a higher punishment they were obliged to commit to the Criminal Sessions. Why in Calcutta a gentleman of much less experience should be allowed four times the amount of power of sentencing he could not understand." The Hon'ble the Maharaja Narendrakrishna, as a representative of the native community, "also entered his protest. He remarked that "at present the Police Magistrate was vested with the powers of a second class Mofussil Magistrate under the Criminal Code of Procedure. To raise his powers to that of a first class Magistrate, and at the same time to allow him to try a large and serious class of offences without the aid of a jury, would create discontent, and would in practice work serious evil. The natives had come to regard the jury system as a valuable safeguard of their rights and liberties; they cherished it as one of their dearest privileges." Sir Arthur Hobhouse answered them in a long and able speech. He noticed the two memorials, which had been addressed to the Council regarding this Bill, we mean those of the British Indian Association and the Indian League. Referring to the British Indian Association he said that that body "had sent them a most valuable paper at a time when they were opposing our Bill. The paper, he might say, was not only exceedingly well-written, but exceedingly interesting, for its history of the law, and had exercised a great influence upon the deliberations of the Select Committee, and had a considerable share in moulding the Bill into its present shape." The memorial of the Indian League contained several good suggestions, but we are sorry it was submitted so late. It had been agreed to at a public meeting in March 1876 and was not sent in until February 1877. We cannot understand why the League slept over it for twelve months. The result was that the memorial had no influence upon the labors of the Select Committee. Both the memorials argued against the extension of the summary jurisdiction of the Police Magistrates. Sir Arthur Hobhouse contended that as the existing system had worked well, the increased powers would *a fortiori* work well. There were two grounds on which the extension of the jurisdiction was opposed, 1stly it would deprive the people of jury trial in many important cases, and secondly the absence of record would prevent the High Court on appeal or reference from making a sifting investigation into the merits of cases. As the British Indian Association remark, "a careful study of the schedule shows that the powers of the Police Magistrates of the Presidency towns for the summary trial of offences have been enormously increased, and that in all cases in which sentence would extend from above six months to two years' imprisonment the trial by jury is abolished. Your memorialists submit that the system of trial by jury in the Presidency towns has been a long-cherished institution, prized and venerated by all classes of the community who came under it, and they are not aware of any valid reason why it should be arbitrarily set aside. So far as the jury system had needed improvement, such improvement has been made by later enactments, but it has, as a system, worked satisfactorily." Again: "Many of the offences which have been declared triable summarily by the Police Magistrates under the Bill cannot be satisfactorily disposed of in a summary way. It is true that when the sentence will exceed one year's imprisonment, or five hundred rupees fine, an appeal will lie to the High Court, but the sections relating to appeals are so framed that there will be considerable obstacles in the way of appeal; but even if these obstacles be removed, the appeal as it will be upon record will be necessarily defective, inasmuch as the record of the Magistrate will be altogether meagre, insufficient and incomplete. Besides, it will be in the power of the Magistrates to frustrate the prospect of an appeal by limiting the sentence to less than one year's imprisonment, or five hundred rupees fine. In such cases there will be no right of appeal. It is true that the power of Mofussil Magistrates is far in excess of those of the Presidency towns; but in the mofussil an appeal lies from every sentence passed by the first class Magistrate exceeding one month's imprisonment and fifty rupees fine, and an appeal lies from all orders passed by a second class Magistrate, the number of which is not inconsiderable, and there the people did not enjoy the privilege of trial by jury except in a few districts within the last few years. Thus there is no fair analogy between the mofussil and the Presidency capitals." Further, "that, while the magnitude of the offences made triable by the Magistrate has been considerably increased, the conditions which will attend the trial of such offences are not such as to satisfy the ends of justice. In the first place, many of these offences were hitherto triable by the highest tribunal in the land, whereas they will be now triable by an admittedly inferior agency. In the second place, the absence of record incidental to a summary trial is calculated to withdraw that incentive to careful and sifting investigation, which is essential to an efficient administration of justice by the subordinate Courts. In the third place, many of the offences referred to are such as require in their trial the most patient investigation and careful analysis of facts, but such investigation and analysis cannot be secured in a summary trial, and consequently the ends of justice will be frustrated." We must confess that these objections have not been fairly met by Sir Arthur Hobhouse. The only plea for the extension of the powers is relief of the High Court. If we are informed aright, the High Court Judges do not seek this relief. But supposing that the Court does seek relief, the question lies between convenience to the Court and justice to the people, and it is superfluous for us to say which should have precedence. As the British Indian Association remark, "if a system has been found useful as a bulwark of the liberty of the subject, and as essential to the interests of justice, your memorialists cannot conceal their regret that a desire to afford relief to the High Court, which is maintained for the administration of justice, should be considered as a valid reason for the abolition of such a system. Far better that the numerical strength of the High Court should be increased than that the present safeguard of justice should be removed." We are sorry that notwithstanding the protests of the representatives of the European and native communities in the Council the Bill was passed into law. There is now only one course left to the public. The leaders of the European and native communities in the Presidency capitals ought to combine and make an united appeal to the Secretary of State for the vetoing of the Bill. If there is any spark of public spirit left in them, they ought not to lose a moment in organizing such a movement.

THE FEVER COMMISSION.

ON the eve of his retirement from the Bengal Government Sir Richard Temple recorded the following minute on the appointment

of a Commission to enquire into and report on the causes of the epidemic fever:

"A very general impression prevails among many native gentlemen of position and intelligence in Bengal that the disastrous fever, which frequently breaks out in the districts round Calcutta, is attributable to the obstructed drainage of the country. This is the view which has been publicly maintained with great ability and earnestness by Baboo (now Rajah) Digumbur Mitter, C. S. I. According to these gentlemen the construction of railways and roads has blocked up many channels and outlets through which the drainage of the country formerly flowed. I have had the advantage of personally discussing the subject with Rajah Digumber Mitter, and he has at my request furnished me with a Memorandum giving, in support of his theory, a number of instances in which as he contends, the fever is plainly and directly attributable to obstructed drainage. A copy of this Memorandum is annexed to this Minute. There is undoubtedly a great deal of *prima facie* evidence in support of the Rajah's theory; and the subject is one of such importance to the welfare of the people, that I think a special Committee should be appointed to examine the localities mentioned in the Rajah's Memorandum, and any other localities which the Rajah or his friends may be able to indicate. I do not of course wish the Committee to confine their attention to these localities alone; they should examine other fever-stricken villages as well, in order that any conclusion at which they may arrive, may be arrived at not from a more casual examination of a few selected villages, but from a careful inspection of the general features of the fever-stricken tract. The Committee should also consult the various reports which have from time to time been written upon this fever, and which contain much valuable information."

The Hon'ble Ashley Eden has taken measures to give effect to his predecessor's minute. He has appointed the Commission, and directed that the Magistrates of the Districts, in which enquiries will be instituted, will also act with them so far as their respective districts are concerned. When we had first heard of the appointment of this Commission, we confess we were under an impression that the object was to take immediate action for the removal of obstructions to drainage, and not to reopen the general question as to whether impeded drainage was the cause of the epidemic fever. With the numerous and striking instances given in the pamphlet of Raja Degumber Mitter, showing how obstructions offered by roads, embankments &c., to the drainage of a village has been immediately followed by an outbreak of the epidemic fever there—with these facts before the public for so many years without their correctness being disputed or controverted, we thought that the question of the causation of the fever had been finally set at rest, and we must confess we were disappointed at its being re-opened. That impeded village drainage is the cause of the fever is no longer the opinion of a lay man like Raja Degumber alone, but is subscribed to by all the medical men, who have investigated the subject in the *locale* of the disease. In 1874 Dr. Wilkie was specially deputed by Government to investigate into the causes of the epidemic fever in Burdwan, and his independent enquiries brought him precisely to the same conclusions that had been arrived at by Raja Degumber Mitter as a member of the Epidemic Commission appointed by Government in 1864. Dr. Wilkie in his report published as an appendix to the report of the Sanitary Commissioner for Bengal for 1874-75 makes the following remarks on the causation of the fever:

"I believe that what was wrong with Hooghly and Burdwan in the fever years was the retention, in the surface soil above the clay, of moisture which ought to have been got rid of more quickly. In an ordinary year you have the rains, the consequent moistures of this surface soil, and the subsequent evaporation of the moisture with fever, until the soil, by evaporation and natural drainage becomes dry. In a *jor bekar* year the same thing exactly went on; but, as there was an obstruction to the natural drainage, the greater part of the moisture had to be get rid of by evaporation alone; so that the whole layer of surface soil became damp sooner, evaporation began sooner and went on longer, and fever began sooner and went on longer. In fact, the most favorable conditions for the production of malaria were present, and their existence was unusually prolonged. As a natural result the consequences of malaria were produced in a more intense form, in greater abundance, and for longer period. Observations, such as those of Doctor Jackson, on the dryness of the soil to great depths in January, February and March, prove nothing at all, except that the soil is dry in non-fever months. However saturated the soil may have been in previous months, it cannot but be dry by that time under ordinary circumstances, because evaporation has been going on rapidly for months from the whole surface of the country, and the supply of moisture is not unlimited. No amount of obstruction to the drainage could keep the soil of Bengal moist throughout the year, unless frequent or heavy rains were superadded. The remarks of the writer of the *Hindoo Patriot's* fever articles on this subject are to the same effect. In February 1872 there had been rain for three months, and in February 1873 only 0·12 inches for three months. I have nowhere been able to find any mention of dry soil in villages in which the *jor bekar* was actually present at the time. Dryness of the soil is mentioned as existing in some places which *had* suffered severely. But what is wanted is a knowledge of the state of the soil when the fever was actually present. If any one could take us to a village stricken with the fever, and demonstrate that the soil is dry, there won'd be an end of the matter. All the observations of dry soil that I have read of were, as far as I remember made in places not at the time of suffering, but made at a time when soil of the whole country is necessarily dry.

"It is indeed greatly to be regretted that it should be possible to throw any doubt on the matter, that the question of the increased dampness of the soil, and longer duration of that dampness in places afflicted with the *jor-bekar*, should not have been thoroughly investigated at the proper time, for no observations made now can show what the condition of the soil was then."

Dr. French, who was Civil Surgeon of Burdwan during the period the fever was raging epidemically in different parts of the district, and who had then peculiar facilities for investigating the subject, after ably disposing of the contagious theory commonly called travelling theory, thus summarises the conclusions he has come to in his pamphlet on the "Epidemic Fever in Lower Bengal commonly called Burdwan fever":

"That it has been caused by pent-up sub-soil water, which in a porous soil is, at certain times, subject to high elevations, and rapid retrocessions. These changes taking place beneath a hot sun appear to be the conditions under which malaria in its most intense or concentrated form is produced."

That this pent-up sub-soil water is caused by bad drainage, which has resulted from gradual and progressive changes in the rivers, *khals*, *nullahs* or streams."

"That those places in Burdwan which are better drained than others, have suffered very little from the fever,, or have altogther escaped it."

"That owing to better drainage those villages adjacent to low lying *bheels*, or small lakes, are, as a rule, found to be comparatively healthy."

Babu Annodapersad Kastogiri, Assistant Surgeon, who has devoted much time and attention to the investigation of the subject, in his essay, to which has been awarded a portion of the Prize offered by the late Viceroy, thus gives his opinion on the causation of the fever:

"These fevers are due, in my humble opinion, to exhalation of malaria at certain periods of the year, or during a succession of years, from excessive moisture of the soil or subsoil, close to human habitations. The *moisture* is caused by obstruction to the water-courses, or natural drainage of villages by Bunds, Embankments, or the Railway Lines. Silting of rivers either at their points of origin, course, or termination also gives rise to malaria, and its effect the outbreak of fever is either Endemic or Epidemic, and of a slight or severe nature, according as the obstruction is permanent, temporary or periodic, and also as the particular soil is more or less retentive of moisture, and the solar heat is slight or severe in degree. In other words, the generation of malaria of the fever-poison of Bengal is in direct proportion to the moisture of the soil, and the atmospheric temperature, or solar heat causing its evolution from the said soil. The so-called epidemic fever of Burdwan and, Hooghly has been raging for upwards of 10 years on both sides of the river Hooghly and in other places. Since 1868, it has appeared in Burdwan, and Hooghly, and latterly in Midnapore also."

Another high sanitary authority, Dr. Sircar, though not belonging to the orthodox school of medicine, has always been at one with Raja Degumber Mitter on the subject. In January 1869 he thus wrote in his *Journal of Medicine* on the Fever of Bengal:

"Shortly after the appearance of the Report of the Epidemic Commission, we contributed a series of articles on the pathology, symptoms, and treatment of this peculiar type of fever in the *Indian Field*, but we had then no opportunities of testing the correctness of the statements of Babu Degumber Mitter. Moreover the cold shoulder offered to them by eminent medical members of the Committee, contributed in no small degree, we must admit, to divert our attention from them. Subsequently, however, when we had repeated occasion to visit patients labouring under malarious fevers in the villages suffering from the epidemic visitation, we remarked the extreme dampness of their soil, which, according to the inhabitants of those villages, was a phenomenon of recent origin. The soil might have been always somewhat damp, but its humidity never or seldom approached any thing that was now observed. It struck us for the first time that there might be more truth in what Babu Degumber said than had been admitted. Further experience and inquiry only strengthened this impression, for we could trace, in every instance that had fallen under our observation, the dampness of the soil to local obstruction offered to the drainage. And in noticing the official papers on the subject, published early in 1868, we undertook to defend the views of Babu Degumber Mitter in our issues of March and April of that year. At last our growing conviction having, now, become a confirmed belief, we have availed of the opportunity afforded us by the new administration to recur once more to the subject with a view to invite to it the attention of the Right Hon'ble the Governor General in Council, and to call for a fresh inquiry for the purpose of finally settling the question if possible.

It is an established fact in sanitary science that febrile endemics and epidemics of the intermittent type are invariably associated, with excessive dampness of soil. Bengal itself furnishes a striking illustration of the fact. In this country, fevers of the malarious type largely prevail about the close of the rains, which are proverbially heavy here. These fevers, we have no doubt, are caused by the dampness of the soil induced by the heavy rains. It is an undeniable fact that, when the country is covered with water during the height of the rains, fevers of this virulent type do not appear, but, at or about the close of the rains, when the waters, which covered the soil retire and when the tropical sun once more begins to dart its powerful rays from an unclouded sky upon the saturated soil, cases of fever of the malarious type become more numerous, frequent, virulent and fatal. Hence this period of the year is significantly called the *Yomastaka*, which means "the period when the eight doors of Death's mansion are open." The fever of the epidemic districts is only an intensified type of this old disease and not entirely a new one. We must seek therefore for a cause identical with that which causes the ordinary malarious fevers of *Yomastaka*, but occurring only in greater intensity.

That humid soils, under the influence of high temperature, generate intermittent febrile epidemics and endemics, is further proved by the fact that whenever and wherever this humidity is removed by efficient drainage, epidemics and endemics invariably disappear. It would take more space, than we could afford, to cite the numerous proofs, in support of this statement, which scientific research has brought to light in various parts of the world. It will be enough to refer to the following well known facts. Along the eastern coast of England, in parts of Kent Essex, Cambridgeshire, Norfolk, Lincolnshire and the East Riding of Yorkshire, there are marshes, or fens, or low grounds, and the lands are occasionally overflowed with water. What drainage has done for these places in England during the last fifty years is a matter of history. The marshes have been brought under cultivation, and the intermittent fever, which infested these regions, have become rare. The almost uninhabitable and dreadly swamps of Algiers, infested formerly by pestilential fevers and mosquitoes which made life intolerable, are now transformed into smiling and cultivated plains, busy and thriving villages and towns, the inhabitants of which enjoy the average health of the most favoured regions of Europe. An efficient system of drainage, by removing the extreme humidity which characterized the soil there, has done all this. What an extremely damp soil has done in other countries, climates and ages, is being done in the epidemic districts of Bengal. There is nothing to be wondered at. Unfortunately while in England and Algiers art has eradicated the generating cause of epidemic fevers; in Bengal it has contributed to convert once healthy towns and villages into "abodes of febrile endemics and of squalid poverty and disease."

In 1868 Dr. Sircar made the following remarks in an article in his journal on the epidemic fever of Bengal:

While on a professional visit to Chuckdighee, some months ago, we had opportunities of observing the effects of the eastern embankment of the Damudah, and we were satisfied that the villages, which were dry before this engineering operation, have since become extremely damp, and have in consequence, begun greatly to suffer from fever. In some of the villages the fever has already raged with epidemic virulence, and we are afraid the same will be the fate of the others whose drainage has been thus interfered with. The absolute stoppage of the stream of the Kana Nuddee by running a bund across it at its rise from the Damudah at Selimabad has been a most serious mistake and we are surprised with what shadow of reason could Government sanction such a measure. Apart from the injurious influence this has exerted upon cultivation in the villages on either side of the Kana, it has most alarmingly affected their sanitary condition not only by interfering with their drainage, but also by depriving the inhabitants of their best available drinking water.

It must now be evident to all, we believe, that the cause of the so called *Malarious* fevers is no other than *Dampness suddenly ensuing*; that the sudden dampness of a locality is most efficiently brought about by any circumstance that interferes with its natural drainage; that the most powerful of these circumstances are embankments of rivers, bridges and bunds across their streams, and the construction of roads of whatever description without providing for a sufficient number of outlets for the passage of drainage water from one side to the other.

It will be thus seen that there is a consensus of opinion amongst competent medical men, who have investigated the subject in the *locale* of the disease, that the root of the disease is impeded village drainage (not of the rice-fields) caused by obstructions offered to it by roads, railways, embankments, and the silting up of khals and other streams. The truth of this theory has also been practically tested in the villages of Rishra, Mahesh &c. in the sub-divisions of Serampore; the construction of the Ryland road was followed by an outbreak of the fever, but the opening of drainage outlets in consequence of the agitation kept up in this paper has restored them to their pristine salubrious condition. We are, therefore, not a little surprised that the Government should have at this late hour appointed a Commission for a fresh investigation into the truth of the theory, which is now accepted on all hands. What is wanted is not discussion, but action. The same measures, that have given back health to Rishra, Mahesh, and the neighbouring villages ought to be adopted elsewhere. So far as the testing of the theory went, Sir George Campbell did what was necessary, and being convinced of its correctness embodied his convictions in the drainage clauses of the Embankment Act, and the Board's circular upon it.

We had hoped that Sir Richard Temple would follow up the action of his predecessor, but we were disappointed when he on the eve of his retirement from Bengal appointed a new Commission of Enquiry. We hope Mr. Eden will give a practical turn to the labors of the Commission. If the Commissioners, instead of wasting their time on speculative discussions, will map out the places, the drainage channels of which have been obstructed, and impress upon the Government the necessity of the removal of those obstructions, they will render a real service. Raja Degumber Mitter in his pamphlet has given numerous instances, which the Commission may personally examine and recommend for immediate practical operation thereupon. Then as the Raja suggests in the preface to his pamphlet there ought to be a permanent organization for watching the due maintenance of the drainage channels of the villages. The disease is endemic, but if the drainage channels be preserved unimpaired, it will be prevented from taking an epidemic form.

THE SAHEB AND THE NIGGER.

IN A recent issue we gave extracts from a report of the North West Board of Revenue, recorded some years ago, on the subject of treatment of native servants of Government. Among other things the Board wrote, "the native servants of Government are treated with a degree of hardship, which stands in remarkable contrast to the conduct adopted towards Europeans or officers of mixed parcentage." A case has just been brought to our notice, which offers a remarkable illustration of the observation of the Board. The facts and merits of the case will be perceived from the following minute of the Officiating Inspector-General of Jails :

Read a letter from Babo Shyamendra Nath Malick, Jailor of the Maldah Jail, dated 22nd June 1876, bringing certain charges against P. A. Minas, Esquire, the Superintendent of the said Jail and requesting a transfer to some other District.

Read also a Memo No. 991 dated 8th instant from the Officiating Magistrate of Maldah, forwarding with his remarks, the explanation of the Superintendent (No. 139 dated 31st ultimo).

The charges brought against the Superintendent by Baboo Shyamendra Nath Malick are five in number, and may be noticed seriatim :

1. On or about the 18th May last it was necessary, it would seem, to buy paddy for the jail, and in order to provide funds for the purchase, the jailor submitted to Superintendent for signature a detailed bill for some paddy previously purchased. Mr. Minas, however, under a misapprehension, that the bill referred to the later transactions, addressed the jailor in what he admits to be "harsh" language, charging the jailor with cheating and threatening to put him in Jail "with double irons and handcuffs." The Officiating Inspector General agrees with the Magistrate that such language is utterly indefensible. He would even go further and say that it raises doubts as to Mr. Minas's fitness for the post of Superintendent of a Jail. Discipline is not to be introduced or maintained by the use of abusive and insulting language and what Mr. Minas must have known to be mere empty threats. The Inspector General is not surprised at the lamentable laxity that he finds to exist in the management of the Maldah Jail, if this note is a fair specimen of the manner in which the Superintendent endeavours to control his subordinates.

2. The second charge is that the Superintendent took 56 prisoners away from the jail to work at his house. This is denied by the Superintendent, whose version of the story is that he had some *Chappers* made in the jail and that they were carried to his house by prisoners without his orders. This charge is found by the Magistrate to be "utterly false."

Charges 3 and 4 accuse the Superintendent of having taken articles from the Jail without paying for them. Mr. Minas states he always intended to pay for them, and that the proper authorities were informed to that effect. It does not appear that any bill was ever tendered to the Superintendent or that payment was ever refused.

5. The last charge relates to the sale of the produce of some Mangoe trees inside the jail premises. It is admitted that Mr. Minas reserved the fruit of three of these trees for himself; but it would seem that the Jailor was formerly interested in the sale of the produce, and it is quite possible that his charge had its origin in pique at not being allowed to buy the fruit this year.

6. On the whole, I am inclined to agree with the Magistrate that, beyond a lax system of management nothing culpable has been substantiated against the Superintendent. It is nevertheless quite clear that to allow the Jailor to return to Maldah under the present Superintendent would be utterly subversive of all discipline whatever.

7. The Officiating Inspector General has very grave doubt whether the Jailor ought to be retained in the Department at all. From the records of Office it would appear that Baboo Shyamendra Nath Malick has been over and over again reported of unfavorably as a Jail Officer.

8. The Returns No. 5 of the Maldah Jail for the year 1873 were replete with errors regarding the value of manufactured articles, the amounts remaining outstanding on account of the sale-proceeds of Jail products and the sums paid into the Treasury by the Manufacturing Department and these errors could not be rectified, after much correspondence, till the account books of the jail for 1872 and 1873 were sent for and thoroughly overhauled in this office.

9. On the 17th May 1874 the Superintendent of the jail asked in a Demi-official letter for the services of another Jailor and remarked that "irregularities in records, inaccuracies in accounts and want of proper supervision of works were daily occurrences."

10. On the 1st June 1874 the Superintendent repeated the same complaint and request in an official letter. Shortly afterwards the Jailor obtained employment under the Relief Department; and on his applying to rejoin his post of Jailor it was ordered in this office letter No. 1144 dated 12th February 1875 that his retention of the post as Jailor is subject to a favourable report of his conduct at the end of six months from the time he took charge. He "appears to have kept his account in a very careless manner."

11. In consequence of a report made by the Superintendent that the Jailor had not given satisfaction in the discharge of his duties, he was not allowed the usual increment of pay in 1875.

12. The circumstances connected with the escape of Prisoner Brindabun Das on the 10th February last disclosed the prevalence of a very lax state of things and the want of discipline and good management. It appeared that prisoners were allowed to wander about the Jail without check and to go out of it, for purposes of nature without supervision; that the maingate was kept unfastened as a rule during meal times and that although the Jailor knew of it he did not see fit to have it closed and that no responsible person attended to the distribution of the evening meal; the prisoners being sent in a disorderly state to find their food for themselves.

Upon a review of all the circumstances set forth above and after having given the subject his best consideration, the Officiating Inspector General can come to no other conclusion than that Baboo Shyamendra Nath Malick is not a fit person to hold the post of Jailor and he accordingly directs that the Baboo's services may be dispensed with from the date of expiring of his leave.

The 15th August 1876. (Sd.) H. BEVERLEY,
Offg. Inspector General of Jails L. P.

No. 7103.

Copy forwarded to the Magistrate of Maldah for information with reference to his memo No. 901 dated 8th Instant and for communication to the Superintendent of the Maldah Jail for his guidance.

The Officiating Inspector General hopes that the Superintendent will give his best attention to the removal of existing irregularities and the improvement of the administration of the Maldah Jail.

We will first notice the charges brought against the Native Jailor. We have neither time nor space to go into an analysis of the charges. It is sufficient for our purpose to mention that in February 1876 the Jailor was recommended by another Superintendent of Jail for increment of pay in the following terms :

He has been 5½ years in the Department and has a good knowledge of Jail work. He has been always drawing the minimum salary and this jail which seldom shows a profit, succeeded to obtain by manufacture a profit of Rs 300 during the last year. I recommend an increase of Rs 2-8 to his salary.

In July of the same year after he had brought charges against the present Superintendent he was reported to be incompetent, and in August following he was dismissed.

But what of the European Superintendent? The Inspector-General goes into the charges categorically, and comes to the following conclusions. He convicts the Superintendent on the first count. The jailor was treated most insultingly and threatened to be put "with double leg irons and handcuffs." The Officiating Inspector-General says that "he agrees with the Magistrate that such language is utterly indefensible. He would even go further and say that it raises doubts as to Mr. Minas's fitness for the post of superintendent of a Jail. Discipline is not to be introduced or maintained by the use of abusive and insulting language and what Mr. Minas must have known to be mere empty threats. The Inspector General is not surprised at the lamentable laxity that he finds to exist in the management of the Maldah Jail, if this note is a fair specimen of the manner in which the Superintendent endeavours to control his subordinates." The second charge was that the Superintendent had employed prisoners for his private work. The Superintendent admits that he had some *chappers* made in the Jail and that they were carried to his house by prisoners without his orders. And yet the Magistrate pronounces this charge to be "utterly false," and the Inspector General apparently endorses this opinion. In the third and fourth charges the Superintendent was accused of having taken articles from the Jail without paying for them. The Superintendent states that "he always intended to pay, but that no bill was tendered or that payment was refused." Lastly the Superintendent was charged with selling the produce of some mango trees inside the jail premises; he admits that he did reserve the fruits of those trees for himself, but says that the jailor was formerly interested in the sale of the produce, as if the jailor's guilt, supposing the charge against him was true, washed away his own.

And what is the result? The poor native jailor is dismissed, and the superintendent ordered "to give his best attention to the removal of existing irregularities and the improvement of the administration of the Maldah Jail!" This is the way justice is meted out to the European and native officers. The jailor we are told petitioned the Inspector General of Jails for a reconsideration of his case, but that functionary has declined to entertain the petition. We believe he has now submitted a petition to Government. This case is a striking illustration of the theory of even-handed justice dealt out to the European and Native officers of Government. We conclude in the words of the North West Board that "less caprice, less severity, less indignity in the treatment of native servants of Government is necessary, if Government would be well served by them."

Here is another case. Babu Tarabur Mitter was employed as a probationary accountant, fourth grade, Examiner's Office, Northern Bengal State Railway, Darjeeling. He has been dismissed the service, and the story of his dismissal is thus given in a memorial, which he has submitted to His Honor the Lieutenant Governor :

That on the 11th July 1876, your Memorialist applied to the Examiner of Accounts, Northern Bengal State Railway for an increase of pay, or in case of refusal, a transfer to the plains on the ground that the living at Darjeeling was very dear; the increase of his pay to Rs 80 was at once recommended and sanctioned with effect from the 4th March 1876 - but Mr. White, the Head Accountant—who, in March 1876, was so kind to your Memorialist as to have recommended him for an increase of pay to the Examiner on the ground that he was thoroughly up to his work—interfered and got an order signed by the Examiner on the 22nd July 1876, to the effect that your Memorialist "will not be granted the increase of pay until such time as the work under his charge, viz. Accounts of Kuch Behar and Goalpara Surveys, have been brought up to date." That this was no real ground for not allowing the increase to your Memorialist will be shewn further on; But this conduct of Mr. White—so prejudicial to your Memorialist's interests—had its origin in the following incident :—

Your Memorialist,—who, up to April 1876, had the charge of examining and compiling Depot Store Accounts—found on examining those Accounts that one Mr. J. P. Devine, Storekeeper North District, had made purchases in Calcutta to the extent of Rs. 9,361 on his own authority, instead of sending a requisition to the Storekeeper for State Railways, who alone was authorized to make such purchases in Calcutta and no one else, vide Government of India Circular No. 5 Railway, of February 12, 1874. This proceeding of the Storekeeper North District being a very serious breach of the rules, your Memorialist pointed it out, as such, to Mr. White, the Head Accountant, who told your Memorialist to overlook such matters; but your Memorialist, as Auditor of such Accounts thought it his bounden duty to scrutinize such proceedings which were against Government Orders and not being satisfied with what the Head Accountant had told your Memorialist, he brought this matter to the Examiner's notice on the 13th April 1876, when the Head Accountant was absent on sick leave. The Examiner at once wrote to the Engineer in Chief, pointing out the very serious breach of the rules, but at the same time he only requested him to advise the Storekeeper accordingly, despite a very serious breach of the rules. On his return, Mr. White came to know what had happened in the meantime and after some time relieved your Memorialist of the charge of examining Depot Store Accounts and placed your Memorialist in charge of the Accounts of Survey Divisions. From this time, in fact, Mr. White, the Head Accountant, became very unfavorably disposed to your Memorialist.

Three months after this incident, the increase of pay to your Memorialist was sanctioned; and Mr. White, the Head Accountant, stood in his way. He got the order signed by the Examiner alluded to above.

Now the order says that your Memorialist will not be granted the increase of pay until such time as the Accounts of Kuch Behar and Goalpara Surveys have been brought up to date. But the Accounts of Kuch Behar Division from May 1876 were received late and being incomplete, owing to the transactions of the drawing account not having been shewn therein, could not have been brought up, pending receipt of revised Accounts then under preparation by the Executive Engineer; and those of Goalpara from April 1876 were not at all received in the Office, although a reminder was sent to the Executive Engineer on the 13th July 1876. Your Memorialist pointed out to the Examiner that it was impossible to bring up those Accounts for the reasons assigned, and that the fault was at the door of the respective Executive Engineers and not upon the shoulders of your Memorialist and that he could not therefore be deprived of the benefit of the increase granted to him. Neither were the respective Executive Engineers dealt with in the manner laid down in P. W. D. Code, Chapter XX, Section II, Paras 11-13, Page 306. Instead of reporting to Government the Executive Engineers' delay in the submisson of accounts and retrenching their salaries, the Examiner made your Memorialist to pay the penalty for not taking in hand the Accounts of the Goalpara Division from April 1876—which had not been received—and those of the Kuch Behar Division for May and June 1876—which had been received in an incomplete state in July 1876. This fact was repeatedly brought to the notice of the Head Accountant; but he would not suggest the Examiner to pass orders to put things right. This circumstance quite grieved your Memorialist. Being unable to brook the punishment he did not deserve, he submitted a letter of resignation in disgust on the 1st August 1876. The language of the letter was found fault with: in this letter he complained to the Examiner of the "gross injustice" that was done to him by withholding the increase of pay from your Memorialist. If its language was impertinent, it was from overwhelming grief. And the grief was owing to the injustice

done to him by his immediate superiors during his 2 years and 8 months service in the Examiner's Office. Your Memorialist was the only Probationary Accountant on the Northern Bengal State Railway, who used to draw Rs. 60 only per mensem—20 Rupees less than the sum allowed to other Probationary Accountants on the Line. Your Memorialist's application to resign departmental employment was at best an warm expression of his grief to his own master and not to the public. Your Memorialist had not the least idea that he was actuated by any spirit of insubordination, for any expression of which he was, and shall always be, ready to make the humblest apology.

We have seen the correspondence, and we must confess that the remonstrance of Babu Tarabur Mitter was couched in words, not quite befitting a subordinate of his position. We could believe that he was writhing under a sense of grave injustice and disappointment, which made him forget his own position, but he ought to have remembered that blunt truths often-times do great mischief. He certainly deserved punishment for writing the letter—but not that of dismissal. A sharp reprimand would have answered the purpose. He was however reported to Government and dismissed from the public service. He was not informed of the charge laid against him nor allowed an opportunity to explain his conduct. He obtained an appointment under the Collector of Pubna, but he has been since removed from it owing to the notification of the Government of India dismissing him from the public service. It would be seen that he was not guilty of any moral turpitude; he had ventured to complain of injustice in words, which we for one do not approve, but which did not certainly warrant his dismissal and the ruining of his prospects for life. From the facts which he has given it would appear that he had discharged his duties honestly, and he is now a victim of his honesty. Of course we have an *exparte* statement before us; if there has been any exaggeration or misrepresentation of facts, we shall be glad to publish a contradiction. We dare say the Government will sift the matter to the bottom. As the case upon the memorial comes before us it sems to be the old story over again—the earthen pot breaks when it comes into collision with the brass pot.

MUNICIPAL OPPRESSION.

More than a year ago, a case of municipal oppression committed in the town of Krishnaghur, was brought to our notice. In this case the bailiffs of the local municipality, attended with a *posse* of Police, went to distrain goods for the realization of arrears of the municipal tax in the house of the Choudhries there. They rushed into the zennana without giving any previous notice, and seized the plates off which a lady was taking her meal after a fast. The tax was not due from her, but they made no enquiries upon that point, and snatched away the plates. The indignity and oppression thus committed were represented to Mr. Stevens, the district Magistrate, as Chairman of the Municipality, but he took no notice of it. The aggrieved then brought a suit in the Civil Court for damages against the bailiffs. The case was tried by the Sub-Judge, from whose decision we make the following extract:

"This is an action for damages against the municipal officers for outraged feelings and injury to reputation, alleged to have been caused by illegal and improper seizure of goods to realize arrears of tax due from the plaintiff's brother Bonomalee Choudry. The plaintiff alleges that no notice of demand was served according to the law; but on a sudden the municipal officers forcibly entered her house and seized the stone and brass plates which were being used by her at the time and carried them away and returned them afterwards on the representation of the neighbours that no tax was due from her.

The defendants deny having seized the plaintiff's goods and state that even if any by mistake had been seized, they would not be liable when they were found on the premises, for the arrears of which the distress was levied. The defendants further affirm that all the requisitions of the law were fully complied with before the seizure took place; and that the suit could not be maintained when the plaintiff did not give notice of action as required by section 87 Act III. of 1874."

After disposing of the preliminary legal objection, the Sub-Judge remarks:

"It appears that the members of the Choudry family at Krishnaghur, consisting of several households clustered together at one spot of the town; had become defaulters in paying the municipal tax from sometime back quarter after quarter bills were presented to them and notice of demand as prescribed in section 45 were issued but to no purpose. The municipal Commissioners were therefore put to the necessity of levying this sum by distress and sale of the goods of the defaulters and issued warrants accordingly for the purpose. But the executive officers apprehended serious resistance from the defaulters, they therefore called in the assistance of the police. On the 8th Sravun 1282 the said officers accompanied by a number of constables went to the spot and entered the houses of 3 or 4 of the defaulters and seized a number of plates and removed a number of door-leaves, when Babu Sharoda Prosad Chowdry, a member of the said family and an Honorary Magistrate, intervened and persuaded the officers from desisting further in their molestations; and undertook to realize the arrears privately from the several defaulters and pay the amount to the officers then and there. This was done and accordingly the goods seized were returned and the officers came away.

The plaintiff alleges that her goods consisting of a stone plate, a brass pot and brass cup were seized by the defendants at the time to realize the arrears due from her brother Bonomalee Chowdry, who had turned a mendicant and on the neighbours representing the circumstance the goods were afterwards released. Defendants deny levying distress on account of Bonomalee or seizing any of plaintiff's goods. It is clear however from the witness examined by the plaintiff, that her goods were seized but were afterwards returned with an apology as done by mistake. The tax darogah, defendant No. 1 is to be believed when he affirms that no distress was levied on account of the arrears due from Bonomalee, and still the seizure of the plaintiff's goods become noway improbable. It appears from witness No. 2, on the side of the plaintiff that Rajonee and Bonomalee had but one house and when admittedly goods were seized from Rojonee's house, it is very probable that the plaintiff's goods were seized at the same time. I therefore find it as a fact that the plaintiff's goods were seized by defendants although by mistake.

The question now is can the defendants be liable for their mistake. I am of opinion that they cannot be. The goods were found in the defaulting premises and as such the defendants were perfectly justified in seizing the same. The rooms of Bonomalee lie in the side of the courtyard and of Rojonee on the other side; and if the municipal officers in seizing the goods of the latter by mistake, seized the goods of the former or of his sister, as is the plaintiff, they cannot surely be blamed for it. Such mistakes are inevitable from the constitution of the Hindu family; and a female member like the plaintiff ought to bear the consequences of defaults made by the male members. I therefore cannot award any damages in this case; but under the circumstances I cannot allow any cost to the defendants.

Ordered accordingly that the sent be dismissed and the parties bear their own costs themselves.

It will be seen from the above that the Sub-Judge finds that the plaintiff's goods were seized by the defendants, but by mistake, and therefore does not award any damages, while he saddled the plaintiff with her own costs. He does not take into consideration the aggravating circumstances of the seizure. In the first place the bailiffs in entering the zenuana gave no previous notice whatever, though under the Municipal Act, even for removing noxious vegetation and improving bad drainage in a house the Municipal officers and workmen are required to give forty-eight hours' notice. If it be urged that such notice would have enabled the defaulter to remove his goods, we need only point out that in this case the house was surrounded by a *posse* of constables, and that there was therefore no means of removing the goods. Then the Sub-Judge says, "that the rooms of Bonomalee in the side of the court yard and of Rojonee on the other side; and if the Municipal officers in seizing the goods of the latter by mistake, seized the goods of the former or of his sister, as is the plaintiff, they cannot surely be blamed for it." Now we canot understand that if the house was one, and the defaulters were several, how could separate distresses have been issued for arrears on account of the same house. But as separate distresses had been issued, surely the bailiffs ought to have made themselves sure of the apartments occupied by the several defaulters, and identified their goods before executing distress. There is nothing in the evidence to shew that they did make such enquiries; if they had not exercised reasonable care, surely they could not be excused for the "mistake" committed. And what was the "mistake"? They snatched away the plates off which the plaintiff was taking her meals on the pretence of realizing arrears, which were not her dues, which were in fact claimable from her brother, who was a deserter from home. The plates were afterwards "returned with an apology as done by mistake." But was that a sufficient reparation for the wrong done? Suppose a municipal bailiff of this town should enter a zennana without giving any notice, seize the plates off which a lady was taking her meal, and that when she was not liable for the tax, what would the public say about it, and would the High Court excuse the bailiff for this gross indignity and oppression, on the ground that it was all a "mistake"? The theory of the "mistake" started by the Sub-Judge is very amusing. If a man pulls another by the ear, and says that he has committed a "mistake," would he be let off? We are sorry that the Chairman of the Municipality did not notice the case departmentally instead of allowing it to go into Court. Nothing perhaps tends to make the Government more unpopular than the friction of municipal administration, and good Magistrates ought to work the machinery as gently as possible. If the Bengalis were a demonstrative people, we do not know how this case might have ended.

LATEST NEWS AND NOTES.

The first meeting of the Bengal Legislative Council under the presidency of the Hon'ble Ashley Eden was held on Saturday last. The Abkari Bill was settled in Committee of the whole Council, and the Wards' Bill was referred back to the Select Committee for consolidation.

His Highness the Maharaja Holkar we hear is about to become a zemindar of Bengal. We are told that His Highness is in negociation for the purchase of their Backergunge estate of the Morrells.

We are requested to announce the following subscriptions in aid of the Science Association:

Babu Kristo Mohun Mookerjee, Offg. 2nd Sub-Judge, Alipore	100
„ Jadu Nath Mookerjee, Medical Practitioner, Calcutta	100

We are glad to learn that justice has at last been done to Babu Bhudeb Mookerjea by his promotion to the first grade of the Educational Service. When Mr. Eden was Chief Commissioner of British Burma, we believe he offered him the office of Director of Public Instruction in that province.

We have received the first number of Mr. Hutton's paper, the *Leader*. It has been brought out on the model of the late *Indian Observer*. Mr. Hutton has a sparkling style; the articles in the opening number are smart and graceful, and will amply repay perusal. The policy of the paper cannot however be fairly deduced from the first number. We wish the project every success.

An Oriental genius has passed away. Sir Jung Bahadur is dead. Though holding the position of Prime Minister Sir Jung was the virtual Ruler of Nepal. A man of wonderful capacity, and rare firmness of character, he was feared by his countrymen and fellow-subjects in Nepal, and respected by the British Government. No right-minded man can accord his approval to the means, with which he acquired his position and influence; he rose to power through a pool of blood; but having gained it, he exercised it to the benefit of the State he represented. Nepal may be said to be the only Native State in India, the thorough independence of which is recognized by the British Government. And the dignity and power which the State of Nepal steadily and resolutely maintained only reflected the genius of Sir Jung Bahadur. During the Sepoy Mutiny Sir Jung did signal services to the British Government. His visit to England gave him a full insight into the resources and power of that country. From tha

time he began to appreciate the force of public opinion. It was commonly said that he feared the *Times* more than anything else in this world. There is not we may say one man in India, who can replace this Bismarck of the East.

THE FAMINE is increasing in Madras, and deaths from starvation are reported. The ravages of cholera are dreadful. In every district the disease is more or less prevalent. We are indebted to the morning papers for the following return :

Kistnah.—Cholera generally prevalent ; deaths 171.
Kurnool.—Cholera in all taluks but one ; deaths 114.
Cuddapah.—Deaths from cholera, 630.
Bellary.—Cholera in all 15 taluks.
Nellore.—Cholera deaths, 448.
Chingleput.—Cholera prevails.
North Arcot.—Cholera still prevalent.
South Arcot.—Cholera deaths, 55.
Salem.—Cholera in all taluks.
Coimbatore.—Virulent cholera, deaths 733.
Tanjore.—201 deaths from cholera.
Madura.—Cholera in 5 taluks ; deaths 315.
Trinellinopoly.—Cholera more serious ; deaths 147.
Tinnevelly.—Cholera increasing, bad in 3 northern talooks.
Malabar.—86 deaths from cholera in 5 taluks.

The scarcity of water threatens to be most serious. The *Statesman* has received the following telegram on the subject :

It is somewhat alarming, we quote the Friend of India to learn that in a week or two after Sir Richard Temple had visited all the districts of Madras, and given Government and the public the impression that too much, rather than too little, was being done to afford relief, it should suddenly be discovered that, in at least two districts, the relief measures have been insufficient, and serious distress, and we fear heavy mortality, has been the consequence.

AFTER a month and a half the Government of India has explained to the Governor of Madras the object of Sir Richard Temple's mission in the distressed districts. The Government of India says, "Sir Richard Temple's appointment was made in the hope that it would strengthen the hands of both Governments, that it would serve to clear up some points of importance in regard to which doubts had been felt, and that by diminishing the necessity of frequent reference to the Government of India, and preventing delay in the treatment of matters demanding immediate decision, it would confirm that accord and harmony of feeling which it will always be the anxious desire of His Excellency in Council to maintain between the supreme and the local Governments." It adds, "the mission of Sir Richard Temple, has already had this satisfactory result, that if any difference formerly existed between the views of the two Governments, none so far as His Excellency in Council is aware, now remains." It is yet too early to congratulate. The policy of economy so rigidly pursued is overshooting the mark. The object of Government ought to save life and not to save money.

WE UNDERSTAND that the Northern Bengal State Railway will be ready for traffic in next May. The line will branch from Porada, a station of the Eastern Bengal Railway, and extend to Samukdea on this side of the river Pudma a distance of 12 miles. Samukdea will be the Armenian Ghat station of the Northern Bengal State Railway. From Samukdea passengers and goods will be steamed over to Sara on the other side of the Pudma. Sara will be the starting station of the main line, which extends to Julpigoree, a distance of 173 miles. Of the important district towns in the Cooch Behar Division Rungpore is the only place, which will have a direct railway communication by a branch line running from Parbatipore to Rungpore, a distance of 23 miles. The line, as we have stated above, is fast approaching completion, and will be opened for traffic in May next. We regret to learn that as yet there is no certainty when the communication will extend to Darjeeling. We hear that the extension from Julpigoree to Adilpore at the foot of the Darjeeling Hills has not yet been sanctioned, and no works have been commenced on that line.

THE subsequent correspondence about Mr. Man's resignation, to which we referred in our last two issues, has been published, and we must confess that he has placed himself in the wrong box. The Government, as we said last week, was perfectly justified in demanding the whole time of the Advocate, if it was prepared to pay for it. As for writing for the press Mr. Man says, "the Chief Commissioner told me I must cease to do so if I took the appointment, and also I received a demi-official letter worded thus, dated 31st :—'The continuation of your connection with—would require to be reported and sanctioned if it came to your holding the appointment.' The newspaper was specially named." Again : "I know well enough that Lord Lytton knew nothing of any proposal having been made to me by the local Government, and I am also aware that it is an old restriction renewed. If such was the case, then Mr. Man was not justified in taking Lord Lytton's name or complaining of the restriction.

WE ARE glad to announce that a lady—Mrs. Sarah Heckford—has just arrived at Calcutta, with a view to practise as a physician and zenana teacher. A friend, writing from England, says, "she, with the aid of her late husband, founded a very successful Childrens' Hospital in East London, and she is now filled with the determination to go and work in the zenana in Bengal, if only she can gain admission ! This she hopes to do through her medical skill, as she is a qualified medical practitioner. Having been all her life full of self-devotion, and having good judgment seems qualified to carry out her aim, which is that of educating the women of the higher classes, morally and intellectually. *She has no theological aims in view*, belonging apparently to the liberal school." Those, who have had occasion to complain of the sectarian character of the teachings of zenana tutors, have now a good opportunity, and we should be delighted to hear that the laudable aim of the lady has been rewarded with success. The want of lady physicians must be widely felt in the zenana, and more than one practitioner should be able to find a wide field for her ministrations.

WHILE we congratulate His Highness the Maharaja of Burdwan on the princely honors with which he was greeted by His Excellency the Viceroy on his arrival at Calcutta last week, we consider it our duty to point out to the Government of India the grave mistake, which it has committed by raising a private Zemindar to the rank of a Chief or Prince. By giving salutes to the Maharajas of Burdwan and Bulrampore the Government, if what we hear be true, has given mortal offence to the reigning native Chiefs and Princes, who consider themselves to be lowered in their own estimation as well as in that of their people by being dragged down to the level of private zemindars in British territory. Nor has this step given satisfaction to the general body of landholders. If the Maharaja of Burdwan has been thus honored, why should not the same honors be given to the Maharaja of Durbhanga, who represents an ancient and historical family, or to the Maharaja of Bettiah, who is connected by blood with the House of Benares, or other big zemindars, who trace an ancient lineage. We say this not in disparagement of His Highness the Maharaja of Burdwan, though we cannot conceal that his isolation from the general native community deprives him of their sympathy, but solely on public grounds. As Bengalis we ought to and do feel proud of any honor done to any one of us, but we owe a duty to the State and the nation at large, and when so many complaints reach us respecting the princely honors conferred upon the Maharajas of Burdwan and Bulrampore, we cannot consistently keep quiet. We should like to know what do the veterans of the India Office think of this strange game of "conciliation" played by the Government of India.

THE legislative mill knows no rest. The Limitation Bill is to be amended again. A Bill has been introduced into the Council on the subject. The Hon'ble the Maharaja Jotendra Mohun Tagore made his *debut* in the Vice-Regal Council in connection with this Bill. His observations were sensible and practical. He said that "under section 27, any person who had enjoyed the use of light, air or a water-course for twenty years without interruption, acquired thereby an absolute and indefeasible right to the easement. Then, by section 24, in the case of a continuing wrong, a recurring right to sue arose at every moment of the time during which the wrong continued. Suppose the person to whose prejudice this right to easements was exercised felt that he had a continuing wrong, in that case Maharaja Jotendra Mohun Tagore thought that twenty years' use would not give a prescriptive right ; for this section provided that, in the case of a continuing wrong, a fresh period of limitation began to run at every moment of time during which the wrong continued. He might be mistaken, but it appeared to him that the two sections taken together were somewhat inconsistent." He also pointed out other defects in the Bill. Sir Arthur Hobhouse said that "it would be most satisfactory, if his hon'ble friend Maharaja Jotendra Mohun Tagore consented to it, that he should be placed upon the Select Committee. Accordingly the Maharaja's name was added to the Select Committee.

THE LEARNED Monsieur Garcin de Tassy, who has consecrated a long life of eighty years to the service of literature, continues still to prosecute his favourite studies with unabated vigour. For the last thirty years he has delivered an annual address to the French Academy on the progress of Hindi and Urdu language and literature, which for fullness and accuracy is unrivalled. His review for 1876, extends to 178 pages, and comprises a summary of every work and newspaper in Urdu and Hindi published in India, the mere labour of reading which would have severely tried the patience of a much younger scholar. It is replete with much interesting matter, and in every way creditable to the zeal, learning and indefatigable industry of the author. Adverting to the Imperial Assemblage of the 1st January last, he says : "Behold the Queen of England invested officially with the title of the *Empress of India*, 'Indæ imperatrix.' To the proud English nation the title is doubtless repugnant as it recalls to mind Napoleonian despotism, but it is a title which was officiously given to Her Serene Majesty, Victoria, by the natives of India, on their definite union with England in 1857, when the British sceptre spread over the vast empire of India, which comprehends not less than two hundred millions of inhabitants, for it was then she was named the *Shah-in-Shah*, which is only a translation of the old Persian title of *Basileus Basileon*. Happily for the English it is not intended to change the paternal (sic) name of "Queen" by placing before it that of "Empress" as in the case of Napoleon I. who abroad was "Emperor and King" (of Italy). The proclamation of the new title will be made with great solemnity at Delhi, after the Viceroy has made his entry into the ancient capital of Shah Jehan. The Viceroy is Lord Lytton, who was the Secretary to the Embassy at Paris where he left many souviniers of his spirit and his talents. A distinguished litterateur, author of several remarkable works, he was Her Britannic Majesty's minister at Lisbon when he was, by the British Government, called to the high post which he now occupies." It is to be regretted that there is no scholar who can do for Bengali literature, what the distinguished Academician does for Hindi and Hindustani.

A FEW sweet words seem to have reconciled the Talookdars of Oudh to the amalgamation of the province with the North Western Provinces. They presented a welcome address to Sir George Couper in his dual capacity of Chief Commissioner of Oudh and Lieutenant Governor of the North Western Provinces, in which they say that "the annexation of the Government of the North-Western Provinces with that of this Province might have been a source of anxiety to its people with regard to this city of Lucknow, which was the seat of the Kings of Oudh, and latterly had been the seat of Government of this Province, and which might have lost its splendour and magnificence, had the amalgamation been carried out during the incumbency of any other Lieutenant Governor ; but seeing that Your Honor still holds the reins of the Government in your own hands, and is ready to protect, patronise, and assist them, they can have no cause of complaint, because they know that Your Honor will try to improve the condition of this Province as far as lies in your power." Sir George made a courteous and conciliatory reply. He said that Lucknow will continue the seat of his Government, but that he will spend the summer at Naini Tal. He reminded his "friends" that "Oudh is the only Province in the empire in which the ruler has hitherto remained at his head-quarters during the summer. At Madras there are the

Neilgherries. At Bombay there is Mahableshwar. In Bengal there is Darjeeling, in the N. W. P. there is Naini Tal. In the Punjab, there is Murree. In the Central Provinces there is Puchmurree, and in Burmah there is the sea." A little tact and consideration are enough to satisfy the natives, but how few of our officers remember this truth.

WE EXPRESSED a regret the other day that the people of Delhi had not bestirred themselves against the abolition of their College. We are, however, glad to see that they have at last roused themselves and submitted a memorial to the Viceroy on the subject. The facts and reasons, which they give in their memorial, are cogent. They admit that neither the Lahore College nor the Delhi College is properly equipped, but they point out that "when the Punjab University College was formed the Government of India sanctioned an annual grant of Rs. 21,000, and informed the local Government that the additional Professors applied for, would now be provided by the University College. This obligation, that institution has, on application, refused to acknowledge. We, nevertheless, firmly believe that the obligation still rests upon it, and we are of opinion, that out of an annual income of nearly Rs. 50,000 it would not be difficult to give the required aid to the colleges without detriment to its other objects." They then remark that "if we gauge the interest of the two cities in education by the pecuniary support afforded by each, it will be found that whilst Lahore contributes almost nothing in this way, Delhi, from its Municipality, an endowment fund, and private efforts, can shew a contribution of nearly Rs. 15,000 per annum." They then adduce this remarkable fact :

> The Delhi college was established in 1762 and is therefore one of the oldest educational institutions in the country. It was originally supported and managed by a committee of Muhammadan gentlemen, was endowed by the gift of Rs.1,70 000 from Nawab Eitmad-ud-Dowla in 1826, and was made over to the Educational Department of the North-Western Provinces in 1855. Previous to this date, it had, we feel proud to say, produced many distinguished alumni, men who served Government so well in all branches of the administration, that it became a sure passport to position and emolument, merely to have belonged to what is now called the old Delhi College. Since passing into the hands of Government, it has not been without its viscisitudes, but it has withal maintained an honorable place and since its affiliation to the Calcutta University, has not unfrequently greatly distinguished itself.

If the fact be as is stated in the memorial that the Delhi College was endowed with a capital of Rs. 1,70,000 by Newab Eitmad-ud-Dowlah in 1826, then the Government has no justification whatever for abolishing the College. The other day the Government of India made a separate provision for Mahomedan education in Bengal, because the endowment of Mahomed Moshim was appropriated to the support of the Hooghly College. On the same principle the Delhi College ought to be maintained, as there is a special endowment for it.

THE VERNACULAR PRESS.

The *Moorshedabad Patrika* observes that when the majority of thinking native gentlemen protested against the Criminal Procedure Code the Legislature assured them that the measure was an experimental one, and enquires whether the period of experiment has or has not expired? How injuriously is the code acting will be apparent from the following amongst other cases.

The daughter of a woman named Sibu Bewa of Saidabad had been married to the son of another woman named Peary Bewa of the same place. Soshi the son was 15 years old and Kumodini his wife was 8 years old. Both these Bewas were women of questionable occupation, and the daughter used frequently to flee from her husband's home to her mother's. Soshi was afraid that his wife might by association be tempted to the life of her mother, and was therefore reluctant to keep further intercourse between mother and daughter. In this view the boy gave the girl a slight correction one day. The mother complained to the Magistrate for the assault on her daughter committed by her daughter's husband Soshi The case came on for trial before the Deputy Magistrate Babu Denonath Addy, and under Section 323 of the I. P. C. he sentenced the dependant Soshi to three month's rigorous imprisonment. Such sentences are not appealable. Peary the mother of the boy Soshi prayed for permission for the High Court being moved to quash the sentence, but the local Judge contented himself with a view of both Soshi the defendant husband and his wife Kumodini, but he passed no orders. The question is whether a slight correction of a wife by her husband is an offence under the law? If so whether such an offence is not to be considered a venial one. Especially when both the husband and wife in this case are minors whether the assault is not to be considered a childish freak. Is not this system of summary trials doing much injury? In another view is not the order of the Magistrate tantamount to a virtual dissolution of the marriage between Soshi and Kumodini?

ACKNOWLEDGMENTS.

MOFUSSIL SUBSCRIPTIONS.	Rs.	As.	P
Moulvi Latful Huq, Purneah	6	8	0
Kollapur Native General Library,	13	4	0
Secretary Students' Library Club, Simoga	6	10	0
Moulvi Abdus Savan, Sekhidah	13	4	0
His Highness the Maharaja of Burdwan,	10	0	0
Raja Dukhinaranjan Mookerjee Bahadur, Lucknow	10	0	0
Moulvi Allahadad Khan, Rajshahye	5	0	0
Babu Romeshchunder Roy, Gholeghat	15	0	0
" Shamachurn Roy, Santipur	20	0	0
" Prosunnochunder Roy, Chundipur	13	4	0
" Chandmohun Moitra, Hizlahat	6	10	0
" Kallynath Kur, Camp Ramnugur	13	0	0
" Krishnachunder Chowdry, Deang	3	6	0
" Kashubchunder Moitra, Koochiakole	5	0	0
" Mothooranath Sandail, Tura	13	4	0
" Seetanath Chatterjea, Belaspur	25	0	0
" Mohendranath Bhattacherjea, Fyzabad	6	10	0
" Koylaschunder Mozumdar, Jehanabad	10	0	0
" Ram Doorlub Khan, Santipur	15	0	0
" Hemchunder Gossain, Serampur	18	4	0

Government Notifications.

Calutta Gazette.—*February* 28, 1877.

GENERAL.—*The 25th January* 1877.—Mr. H. J. H Fasson Assistant Magistrate and Collector, Rajshahye, is transferred to Julpigoree.

The 21st February 1877.—Mr. J. F. K. Hewitt, Magistrate and Collector of Chumparun, is appointed to act as Magistrate and Collector of Patna during the absence, on duty, of Mr. A. C. Mangles, or until further orders.

In modification of the orders of 7th February 1877, Mr. H. F. J. Kean is appointed to act as Magistrate and Collector of Chumparun.

Mr. C. A. Wilkins, Assistant Magistrate and Collector, Patna, is transferred to Shahabad.

The 22nd February 1877.—Mr. J. Monro, District and Sessions Judge of Rajshahye, is appointed to be District and Sessions Judge of Nuddea, *vice* Mr. H. C. Richardson, about to retire.

Mr. L C. Abbott, Official Joint-Magistrate and Deputy Collector, in charge of the Hajeepore division of the Mozufferpore district, is transferred to the Sudder Station of Patna.

Mr. A. J. Primerose, Assistant Magistrate and Collector in temporary charge of the Begoo Serai Division of the Monghyr district, is appointed to have charge of the Hajeepore division of the Mozufferpore district.

Mr. William Cornell, Judge of Bankoora, is allowed subsidiary have for one day, in extension of the leave granted to him under orders of the 14th December 1876.

Captain C. H. Garbett, Assistant Commisioner, Manbhoom, is transferred to Lohardugga.

Pundit Sham Narayan acted as a Sub-Deputy Collector of the Second Grade in the Bettiah sub-division, from 5th July to 5th October 1876.

Baboo Annoda Pershad Ghose, Deputy Magistrate and Deputy Collector. Pooreo, is transferred to Cuttak.

The 23rd February 1877.—The services of Mr. A. Manson, Officiating Joint-Magistrate and Deputy Collector, Purneah, are placed at the disposal of the Government of India in the Home Department.

Baboo Protap Narain Sing, Deputy Magistrate and Deputy Collector, Jehanabad, in Burdwan, is promoted from the Fourth to the Third Grade of the Subordinate Executive Service.

The 24th February 1877.—Mr. G. G. Dey, Officiating Joint-Magistrate and Deputy Collector, in charge of the Sasseram division of the Shahabad district, is allowed leave for one month, under the rules in Chapter VII of the Civil Leave Code, with effect from the 1st March 1877, or any subsequent date on which he may avail himself of it.

Mr. C. R. Marriott, Assistant Magistrate and Collector, Chumparun, is appointed to have charge of the Sasseram district during the absence on leave, of Mr. G. G. Dey, or until further orders.

The Right Hon'ble the Secretary of State for India has been pleased to grant to Mr. H. L Dampier C.S., an extension of furlough for seven months and fifteen days.

The services of Mr. D. M. Barbour, C. S., are replaced at the disposal of the Government of India in the Financial Department.

Mr. E. R. Henry, Assistant Magistrate and Collector, in charge of the Tajpore division of the Durbhunga district, is appointed to act as an Assistant Commissioner of the Second Grade, and to have charge of the Rajmehal division of the Sonthal Pergunnahs district.

Mr. C. F. Mawnn, Deputy Magistrate and Deputy Collector in charge of the Rajmehal division of the Sonthal Pergunnahs district, is appointed to have charge of the Tajpore division of the Durbhunga district.

Mr. S S. Jones, B.A. Assistant Magistrate and Collector, in charge of the Seetamurhee division of the Mozufferpore district, is appointed to act as an Assistant Commissioner of the Second Grade, and is posted to the district of Manbhoom.

Mr. R. H. Renny, Deputy Collector, Lohardugga, is appointed to have charge of the Seetamurhee division of the Mozufferpore district.

The following officers are appointed to act until further orders as Assistant Commissioners of the Third Grde, viz. —

M. C. A. S. Bedford, Deputy Magistrate and Deputy Collector, in charge of Pachumba sub-division.

Mr. W. N. Campbell Deputy Magistrate and Deputy Collector, in charge of Hazareebagh.

Baboo Shital Nath Bose, Deputy Magistrate and Deputy Collector, Sarun, is allowed leave for three months, under the rules in Chapter VII of the Civil Leave Code.

Mr. J. Tweedie, Judge of the Principal Courts of Small Causes at Krishnaghur and Jessore, and Judge of the Courts of Small Causes at Kishnaghur, Ranaghat, and Meherpore is appointed temporarily to act as District and Sessions Judge of Nuddea from the date on which he may receive charge from Mr. H. C. Richardson to the date on which he may be relieved by M. J. Munro.

Mr. H. P. Peterson, Assistant Magistrate and Collector, Jessore, appointed to have charge of the Khoolna Division of that district, during the absence, on leave, of Baboo Denonath Mookerjee, or until further orders.

Annoda Persad Ghose, Deputy Magistrate and Deputy Collector Cuttack, is allowed leave for two months, under the rules in Chapter VII of the Civil Leave Code, from the 9th February 1877, the date on which he availed himself of it in anticipation of the sanction of Government.

The 27th February 1877.—Baboo Kali Prosunno Sircar Deputy Magistrate and Deputy Collector, Jessore, is allowed seven day's leave on private affairs, under Section 5 Supplement F of the Civil Leave Code.

POLICE.—*The 24th February* 1877.—Mr. C. P. Crouch, Officiating District Superintendent of Police, Noakholly, is appointed to act as District Superintendent of Police, Chittagong Hill Tracts, during the absence, on furlough, Mr. E. M. Showers, or until further orders.

Colonel W. R, Gordon, District Superintendent of Police First Grade, is appointed to act as District Superintendent of Police, Noakholly, until further orders.

Mr. A. V. Knyvett, Officiating District Superintendent of Police Burdwan, is appointed to act as District Superintendent of Police, Chumparun, during the absence, on furlough of Mr. H. G. Wilkins, or until further orders.

Advertisements.

THE LEADER.

A Weekly Journal of Politics and Literature,

EDITED BY JAMES HUTTON,

CONTENTS OF NO. 1, MARCH 3RD, 1877.

Short Notes.—The Week. 1.—The Imperial Assemblage. 2.—The Civil Service Problem. 3.—Government and the Press. 4.—Higher Education in Bengal under Sir Richard Temple. 5.—Sir Robert Stuart on Breech of Trust. 6.—Government by Statistics. Day by Day. Gleanings. Original Translations.

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All other communications to be addressed to the Editor 11, Middleton Row, Calcutta.

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NOTIFICATION.

Under the patronage of Rai Setab Chand Nahar Bahadur of Dinagepur a great fair or mela will take place at Bochaganj about 18 miles west of Dinagepur from the 5th to the 25th day of Chaitra, corresponding with 17th March to 6th April 1877, where dealers of elephants, horses and articles of various descriptions shall meet with ready purchasers and shall be amply rewarded according to the quality of their goods and livestock Be it understood that the famous Neekmardum mela shall take place on the 25th of the said month of Chaitra.

আবার গুপ্তকথা ! আবার গুপ্তকথা !! আবার গুপ্তকথা !!!

রহস্যমুকুর !

আশ্চর্য্য গুপ্তকথা !!

হরিদাসের "গুপ্তকথা অতি আশ্চর্য্য !!!" লেখকের দ্বারা নূতন প্রণালীতে বিরচিত হইতেছে। ১০ সংখ্যা প্রকাশিত হইয়াছে, মূল্য প্রতি সোমবার প্রত্যেক সংখ্যা দুটী পয়সা। কলিকাতা শোভাবাজার থ্রে ষ্ট্রীট ১০২নং ভবনে শব্দকল্পদ্রুম কার্য্যালয়ে প্রাপ্য।

বাঙ্গালা পদ্য মহাভারত।

প্রকাশিত হইতে আরম্ভ হইয়াছে, প্রথম খণ্ড বাহির হইয়াছে। মূল্য মাশুল সহ অগ্রিম বার্ষিক ৩, টাকা প্রতি খণ্ডের ।/১০ আনা।

শ্রীনিমাইচরণ সিংহ।

এডুকেশন গেজেটের সহকারী সম্পাদক।

হুগলী।

NOTICE.

The Sale of Putnee Talook Aucknah in Pergunnah Pawnon, Nos. 133, 134 and 135 situate in the district of Hooghly and of the piece or parcel of land commonly called Ballargunge belonging to the estate of Ramruttun Bonnerjee which was advertised in the *Exchange Gazette* for 17th day of February instant, has been postponed to Saturday the 17th day of March next, at one o'Clock in the afternoon, when the Receiver of the High Court will sell the same at his office in the Court premises.

For particulars apply to the undersigned.

J. C. MACGREGOR,
Receiver, High Court.

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The valuable Zemindaries known as Kanieallampoor and Kultapara in the District of Malda—Apply to Messrs. Begg Dunlop and Co.

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Cast Iron Colonial Pumps, 93.

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Rs.	16	17	20	23	27-8	32	36	ea.
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	2½	3	3½	4 in.
Rs.	40	55	65	75 each.
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The above Pumps are simply lift, and will draw water from a depth of 25 feet. We fit them (for convenience of consti tuents) with pipe of any length to that distance.

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By these Pumps one man can lift and force water to a distance of 50 feet and upwards.

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MAHOMEDAN LITERARY SOCIETY.

The *Thirteenth* Annual Conversazione of the above Association will be held at the Town Hall on Monday the 12th March 1877 at 9 P. M.

ABDOOL LUTEEF.
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This medicine, the ingredients whereof consist purely of country and hill vegetables, has wrought a miracle in the cure of various complicated diseases which have baffled the skill of the most eminent physicians.

Several native gentlemen, who after trying in vain all European and Native medicines, have at last been cured by the use of my Amritarasa.

It has been experimentally proved and certified that this wonderful medicine is infallible in the cure of the most obstinate diseases, such as the diseases of the Cranium, Chronic Fever of all kinds, Chest, Heart and diseases of the Lungs, Spleen, Lever, Acidity, Colic pain, Piles, Fistula, Dysentery, Dyspepsia, Chronic venerial disorders, Debility, Nervous complaints, Hysteria, Female affections and other complicated diseases. It gives strength to the system and changes all morbid secretions to a healthy state.

Price for a phial is Rs. 5 8 0
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Hem Chunder Banerjea,
Missirpokhar, Benares.

TRANSLATION OF VERNACULAR TESTIMONIALS.

I have bought your "Amritarasa" to the amount of Rs. 150. This is a very wonderful medicine. We are quite surprised to see its wonderful power to cure various intricate diseases. In cases of Colic pain (sool) Asthma, Consumption, Chronic Fever, Dyspepsia, Dysentery and Hysteria, its efficacy has been fully observed.

Koylash Chunder Roymohasoy,
Zemindar and Hony. Magistrate;
Dehoorda Zillah, Baleshwar.

Last Bysakh my wife was laid up with various complicated diseases, so much so that there was no means of saving her life. In this state your Amritarasa was administered to her, and she is perfectly cured now.

Issur Chunder Roy Chowdhry,
Bahalgram, Raigunge.

Your Amritarasa being administered to my wife, her diseases seems to be in a great measure checked. The bodily weakness is much less than before. The pain in the stomach is not entirely cured yet, but I hope, from the state she is now in, that by continuing the medicine longer, she might possibly get completely cured, for the disease is not of a short standing.

Shusi Bhusun Haldar,
Deputy Magistrate of Mathabhanga;
Zillah Kuch Behar.

The curative virtue of your Amritarasa is widely known, and I am very happy to see some patients wonderfully cured by it. I do not know what amount of virtue you are acquiring by saving thousands from untimely death.

Chowdhry Protap Narain Roy,
Zemindar of Bansiliha.

By using your Amritarasa continually my disease has been checked in a great measure. My health is progressing, and I have gained much liveliness. Hoping to be perfectly cured by the use of a few bottles more.

Chowdhry Narain Chunder Roy Bahadoor,
Chooramun in Malda.

Babu Motilal Lahery of the Sub-Division Dhubri and some others have been cured by the use of your famous Amritarasa.

Roy Protap Chunder Barua Bahadoor,
Zemindar of Gouripoor, Dhubri.

I once tried your excellent medicine (Amritarasa) in chronic Headache, and the infallible result duly communicated to you. Now I have much pleasure to inform you again that I have tested its efficacy in some cases of Chronic Fever and Spleen with wonderful effect.

I have also cured 8 Cholera cases by your valuable pills—it is the only best reliable remedy yet found.

Rajendra Nath Datta,
Secy. of Rama N. P. Club.

I have much pleasure to inform you that I have been able to cure 50 cases out of 51, who were suffering under complicated diseases. In conclusion I assure you that your Amritarasa is a very efficacious medicine, and the further circulation of it is indispenibly requisite.

Purno Chunder Banerjea,
Member of Chinsurah Club.

One phial of your Amritarasa has done a good deal of good to my younger brother, who was suffering from a long time under Dysentery, Chronic Fever and Spleen. The 1st and 2nd diseases have altogether disappeared, and the Spleen is much better, and hope, will be cured in another bottle.

Dukhina Perda Roy Chowdhry,
Mohesrakha.

A phial of your Amritarasa was bought by me, and given to a woman who was suffering too much from Chronic Fever and other complicated diseases; and I am very glad to inform you that she is wonderfully cured by the use of the same.

Bonomally Paul.
Goonotea *via* Sainthia.

Last year by using your valuable Amritarasa. I am perfectly cured of Chronic Colic pain (sool), from which I suffered.

Joygobind Dutt,
Jatanpookhu *via* Jalpaiguri.

Your Amritarasa is very efficacious. My friend was suffering from fever for 7 years, from Spleen for 5 years and from Dysentery for 1 year, and was exceedingly weak. He used one phial of your Amritarasa, and is much better now The fever is cured, ¾th of the Spleen is reduced, and in place of about 12 bloody stools daily he has 2 or 3 motions now without blood.

Jogendra Chunder Bosu,
Ghutiabazar, Hugli.

Since a year I had been suffering from fever and cough. Having tried in vain various native and European medicines, I was at last completely cured by using your widely known Amritarasa.

Romanath Banerjea,
Huripur, Zillah Dinagepoor.

My poor letter can describe very little the virtue of your valuable medicine known throughout this part of the world. Often do I hear that many persons in these localities are saved from the attack of many dreadful and fatal diseases by means of your kindness. We have seen that Babu Radha Mohun Mookerjea is cured of a long standing Dyspepsia of an aggravated form, and his wife of a chronic asthma in a short time. Amritarasa (*i. e. a drink which prevents death*) is *really achieving* what its name imports.

Shama Churn Mittra,
Deputy Post-master, Bansdiha.

My brother has derived great benefit by using your Amritarasa. His colic (sool) pain and rumbling of the stomach are cured.

Prosunno Coomar Dass,
Ratnapur, *Moorshidabad.*

Your Amritarasa was use in a case of Fistula, the sore is cured, there being now only a spot in the place.

Gobind Chunder Sett,
Fansidewa, *Darjeeling.*

My venerable father was suffering under fever, cough, and * * * from a long time. He used 3 bottles of your valuable Amritarasa, (though he was unable to use it regularly), and his fever and cough are perfectly cured, * * * *

Burneshw rMaookerjea.
Chooramun, Zilla Malda.

Those who used your valuable medicine Amritarasa here, have all been perfectly cured.

Loke Nath Bosu,
Kuttack.

INFALLIBLE CHOLERA PILLS.

This is a most efficacious medicine of Cholera ever discovered. The result appears from my Register already published that more than 90 per cent. cases were cured in 1875.

It is also a sovereign remedy for Sunstroke. This dangerous disease is cured in about half an hour, as if by magic.

The pills does not contain opium, chillies, poison or any intoxicating drug and can be safely used by women advanced in pregnancy and so by infants.

Cost for 50 Pills which can cure about 20 persons is Rs. 5 only. Certificates from gentlemen are annexed below.

HEM CHUNDER BANERJEA,
Missirpokhar, Benares.

I have the honor to inform you that your medicine for cholera was received here when the disease had nearly disappeared from the town. It was however administered in 2 cases with successful result.

Sd. W. R. LARMINE.
Magistrate of Bankura.

I am very glad to say that your Cholera pills have cured all the 10 cases in which they were administered.

(Sd.) D. V. SAPRAY,
Bankipur.

I am requested by the Maharaja of Burdwan to inform you that during the recent outbreak of Cholera in this place, your pills were tried in several cases which occurred among the servants of His Highness and were found to be efficacious. In all these cases the medicine was administered in the early stage of the disease but in one case in which it was administered to a patient who was in an advanced stage it was powerless and the man died.

(Sd.) T. B. MILLER,
Private Secretary.

Your Cholera pills are really infallible. Not being a professional man I was afraid to try your medicine at first, but I administered it in 3 cases given up by the Doctors as hopeless. Two of the patients recovered quickly within 6 hours by using only two pills each. The other a child took one pill which stopped his purging, vomitting, perspiration and spasm and caused a discharge of urine, but unfortunately at this stage his parents gave him some other medicine. The result was the disease relapsed and the child died.

(Sd.) BIPIN BEHARI DUTT,
Station Master Doomraw.

The few Cholera pills that you kindly gave me when I went to Gya in the Cholera season, have wonderfully saved the lives of 13 persons from that fatal disease.

(Sd.) RAMCHUNDER PUNDIT,
Sanscrit College, Benares.

I have to inform you that I could not give a fair trial to your medicine during the late outbreak of cholera here. Strictly speaking I treated 2 cases exclusively with your pills and found them efficacious.

I tried the pills in 10 more cases when they had already had other medicines and their disease had sufficiently advanced. However I am glad to say that those that had the fortune to live for some hours after the administration of your medicine, had the action of their kidny established, though mostly died subsequently. Of these ten cases only 2 actually recovered.

From this short trial I cannot arrive at any conclusion though I do not feel myself disappointed.

(Sd.) KHURGESHUR BOSE,
Asst. Surgeon Akyab.

I have much pleasure to say that I have been able to cure 80 cholera cases out of 86 by the use of Babu Hem Chunder Banerjea's Cholera pills in 1875. All these cases were personally treated by me gratis among the Pilgrims. On the subject I have been examined by the Civil Surgeon of Benares who has retained the papers in which the result of my treat ment is recorded.

(Sd.) GOPINATH SOOKUL,
Benares.

Last month the Cholera Pills brought from you, were administered to 6 patients, and am very glad to say that all of them were perfectly cured. Cholera medicine, like this, has not yet been discovered. All the patients were cured within six hours.

Gopal Chunder Banerjea,
Native Doctor, Chupra.

Your Cholera medicine is the best one yet discovered. Many persons were cured by its use.

Parmeshwar Bedratna,
Umbica Rajbatty, Kulna.

The good effect of your Cholera Pills cannot be expressed in writing. It was tried in 18 cases among the coolies here. I am very glad to say that all of them have recovered without a single failure.

Moheeooddeen,
In charge, Tea Garden, Koorkurea.

The Cholera Pills sent by you were administered to 5 patients, and the result is that all of them have been cured.

Radha Bulove Sing Deb,
Zemindar, Bankura.

Many thanks for the Cholera Pills you kindly set me. I have tried it in several cases with successful result.

Zahurul Hossain,
Dewan of Talibpur Estate.

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Topics of the day. Fame and Detraction. Poor helpless Humanity. Born in the Purple. Miss Sophia Robinson's joys and sorrows. Jessie Campbell, the Rose of Lochaber A dramatic Piece in three acts. The Family Friend. Gems of thought Wit and Humour.

There is a good variety of literary matter of a really superior order. The Editor seems to have hit the just medium between the too light and the too heavy. We are happy to be able conscientiously to recommend our readers to support the publication so ably and judiciously conducted.—*Friend of India.*

TheCalcutta Magazine should find many readers. Times of India.

The *Calcutta Magazine* is a valuable acquisition to periodical literature in India. In printing and general get up, it is in fact superior to some English periodicals, and on its general merits it is certain to win for its freight or amusement and instruction a welcome both in and out of India.—*Athenæum and Daily News.*

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Pains of every description have been cured by the ontward application only of this medicine, when all the skill of the medical art have been tried without effect.

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PUBLIC MEETING ON THE CIVIL PROCEDURE BILL.

Pursuant to advertizement a public meeting was held at the hall of the British Indian Association on Saturday the 3rd instant, at 4 P.M. for the consideration of the Civil Procedure Bill. Among those present we noticed Maharaja Romanath Tagore C.S.I., the Hon'ble the Maharaja Joteendramohun Tagore, the Hon'ble the Maharaja Narendrakrishna Bahadur, Raja Degumber Mitter C.S.I., Raja Harendra Krishna, Bahadur, Kumars Grishchunder Sing, Purnochunder Sing, Raja Shamasunkur Roy Bahadur, Prince Ruheemuddeen, Prince Ferrok Shah, Manickjee Rustomjee Esq., Babu Doorgachun Law, Babu Rajendralala Mitra, LLD. the Hon'ble Issurchunder Mitter, Monomohun Ghose, Esq., Barrister at law, Mr. Girjasunker Sen, Barrister-at-law Babus Koonjolal Bannerjea, Chunderkant Mookerjea, Judulal Mullick, Bhuggobutty Mullick, Gopee kissen Gossain, Dwarkanath Biswas, Damodur Das Burmon, Hurropersad Roy Chowdry, Bejoykissen Mookerjea, Perymohun Mookerjea, Rashbehary Ghose, Hemchunder Banerjea, Bolyechand Sing, Grishchunder Ghose, Protapachandra Ghosha, Bhyrubchunder Banerjee, Ashutosh Dhur, Ashutosh Mookerjea, Surendranath Bannerjea, Amarendranath Chatterjea, Girjabhusun Mookerjea, Kanyelal Dey Rai Bahadur, Eshanchunder Mookerjee, Mr. Cowasji Manickji Rustomji &c. &c.

The Maharaja Ramanath Tagore C.S.I. opened the meeting by reading the Requisition addressed to him as President of the British Indian Association. He then called upon the meeting to elect its own chairman.

Babu Grishchunder Ghose moved that the Maharaja Ramanath Tagore C.S.I. take the chair.

Babu Girjabhusun Mookerjea seconded the motion.

The Maharaja on taking the chair addressed a few introductory words.

Raja Digumber Mitter C.S.I. then moved the first Resolution :

That this Meeting contemplates with alarm and apprehension some of the changes introduced in the Civil Procedure Bill, which are calculated to interfere arbitrarily, through the action of the Courts, with the value of money, with the employment of capital on loans, with the healthy working of the credit system on which the bulk of the ryots of India depend for their subsistence and agricultural pursuits, and with the unfettered operation of commerce.

Babu Doorgachurn Law seconded the Resolution.

Carried.

Babu Rajendralala Mittra, L.L.D. moved the second Resolution :

That while under the existing law the obstacles in the way of the execution of decrees are so great that the difficulty of the suitor is justly said to begin when a decree is obtained, the changes in the proposed Bill will considerably aggravate the evil and tend to defeat the ends of justice.

Babu Hemchunder Bannerjea, Pleader, High Court, seconded the Resolution.

Carried.

Mr. Manomohun Ghose, Barrister-at-law, moved the third Resolution :

That the withdrawal of the power of the Munsif and Subordinate Judge to execute decrees passed by them and to entertain suits against Government and public officers, unless on transfer by the District Court, is a retrograde move, and tends to cast an unmerited slur upon those deserving officers, whose increased efficiency and high character justly command the confidence of the public.

Babu Amerendranath Chatterjea, Pleader, High Court, seconded the Resolution.

Babu Judulal Mullick supported the Resolution.

Carried.

Babu Surendranath Bannerjea, late of the Civil Service, moved the fourth Resolution :

That this Meeting deprecates hasty legislation, and is of opinion that considering the great importance of the Bill, the absence of its translation into several vernacular languages for the information of the mass of the population, and the gravity of the crisis in the Presidencies of Madras and Bombay, which has fully occupied the public mind there, and leaves it little time to study the voluminous draft, the Legislature be moved not to pass the Bill at present.

Raja Shamasunker Roy Bahadur, zemindar and merchant, Eastern Bengal, seconded the Resolution.

Babu Girijabhusun Mookerjea, Premchand Ryechand Scholar, supported the Resolution.

Carried.

Kumar Grish Chunder Sing, Paikpara Raj Family, moved the fifth Resolution :

That the following Memorial to His Excellency the Viceroy and Governor General in Council in respect of the Bill be adopted:

To

HIS EXCELLENCY THE VICEROY AND GOVERNOR GENERAL OF INDIA IN COUNCIL.

The humble memorial of certain inhabitants of Bengal in public meeting assembled,

Respectfully Sheweth,

That your memorialists contemplate with alarm and apprehension some of the changes introduced in the Civil Procedure Bill now before Your Excellency's Legislative Council, which are calculated to interfere arbitrarily, through the action of the Courts, with the value of money, with the employment of capital on loans, with the healthy working of the credit system on which the bulk of the ryots of India depend for their subsistence and agricultural pursuits, and with the unfettered operation of commerce.

That these changes aim at the revival, in an indirect manner, of the usury laws, the evil effects of which have been so convincingly expounded and exposed by eminent jurists that they have long since been repealed both in England and in India. A retrograde step in this direction, far from benefitting the debtor class, in whose interest it is apparently taken, would, Your Excellency's memorialists are humbly of opinion, place them in a worse position inasmuch as they would be compelled to part with their property by an absolute or conditional sale when they would fail to raise money on loans for meeting pressing necessities, and those who have no property to part with would be still more painfully situated. Needy persons cannot avoid loans, and as under the peculiar circumstances of civilized society a large number of persons have to depend upon their credit, all laws, which put obstacles in the way of loan transactions, necessarily hamper that credit, and prove injurious to the poor.

That the greater the difficulties interposed by law in the recovery of debt the greater would naturally be the reluctance of the capitalist to advance money, and the harder the conditions he would seek to impose. Even under the existing law the difficulty of the suitor, it is justly said, begins when a decree is obtained, and if the execution of decrees be fettered by the restrictions such as are proposed in the present Bill, the result would practically be the closing of that temporary accommodation, which the vast body of the people, whether landholders or agriculturalists are compelled to seek in the carrying on of their legitimate occupations and pursuits. If it be left to the discretion of the Court to award interest at any rate it thinks fit from the date of institution of suit, and at a rate not exceeding six per cent. per annum after date of decree, to order payment by instalments with or without interest, to spread the instalments over twenty years, and to exempt at the direction of Government the attachment and sale of land in particular tracts and also of particular tenures, the very foundations on which the fabric of monetary transactions in the country rests would be shaken to the centre, and the ordinary affairs of life would be brought to a dead-lock.

That the provisions of the Bill bearing upon this subject seem to have been prompted by a sympathy with the debtor class, which, Your Memorialists venture to remark, is far from healthy or discriminating. Its immediate effect would be the depreciation of a large amount of capital embarked on loans, and ultimately the infliction of grievous injury to the poor. If reasons of State, or motives of benevolence, lead the Legislature to evince this sympathy, it cannot certainly be just to indulge in that sentiment at the expense of private parties. If considerations of public policy suggest that the land should not be sold in particular tracts of the country, or that ancient houses should not be allowed to fall into decay, justice requires that the public exchequer should come to the relief of persons, whose protection might be needed for public safety or weal. Such exceptional legislation has been made for the benefit of particular classes or individuals in particular districts, and it would be consistent with that policy to make special laws for special occasions or purposes, instead of delegating the function of the legislature to the Executive Government for controlling the action of the courts and thus boulversing the general relations of society in monetary matters. In the same manner if it be considered desirable or expedient to shield agriculturists or petty traders from village money-lenders, who are described in the debate upon the Bill as "village Shylocks," the State, as the representative of the public in the aggregate, ought to establish agricultural banks for their accommodation, instead of shackling the realization of loans with impediments, which would tend to make the "Shylocks" as they are called still more obdurate, and to pauperize the unfortunate men, whom necessity would drive into their folds.

That the same spirit of tender sympathy with the debtor seems to have influenced the legislature in proposing the exemption of the salaries of public officers from attachment for debt. It cannot be unknown to Your Excellency in Council that the salary of a public officer is not unfrequently his sole income, and if it be exempted altogether from attachment for debt, it would practically be holding out a premium to dishonesty. If it be urged that this provision would restrain persons from lending money to public officers, it might produce a most mischievous effect in another way. If impecunous officers should find that they could not obtain accommodation by fair means, Your Memorialists would not feel at all surprised that such of them as were not endowed with sufficient strength of moral character might seek to satisfy their

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necessity by foul means. The result, they fear, would be a sad deterioration of the moral tone of public officers in need of money.

The above remarks refer to sections 209, 210, 266, 305, 320, 321, 322, 323, and 324.

That Your Memorialists are grieved to notice the distrust, which the Legislature shew in the Munsif and the Subordinate Judge by enacting that those officers shall not be at liberty to entertain suits against the Government and public officers, or to execute their decrees except under the authority of the District Court. At a time when the Government liberally acknowledges the increased efficiency and high character of the Native Judiciary, it cannot but be considered most unfortunate that the Legislature should propose to withdraw from them powers which they have enjoyed for years, and which they have never been known to abuse. It is the Government which appoints the officers for the administration of law and justice, and if the Government trust them with the trial of suits against the State and public officers, surely it cannot consistently ask the people to trust them. The invidious distinction sought to be made by this provision would cast a most unmerited slur upon a body of officers, whose superior knowledge, unflinching honesty, and unsurpassed devotedness to work, are admitted on all hands, and who justly command the confidence of the public. The withdrawal of the power from them to execute their own decrees would lead to serious inconvenience and hardship to suitors. (Sections 303, 304, and 416.)

That the temptation offered by this Bill (Section 335) to debtors to declare themselves insolvent would encourage fraud and dishonesty. If a judgment debtor, whenever he is arrested in execution of a decree for money, be told by the Court that he may apply to be declared an insolvent, and that he will be discharged if he has not committed any act of bad faith, the result, Your Memorialists fear, would be that debtors would be tempted to be dishonest. They would seek to conceal or fraudulently transfer their property, and as it is always difficult for the creditor to prove such concealment or transfer, they would, by first allowing themselves to be arrested and then pleading inability to pay, in nine cases out of ten, avoid the unpleasant consequences of non-payment of debt. They would not then be liable to imprisonment, while they would save their property. It is certainly desirable to help an honest trader, who has met with reverses, by enabling him to avail himself of the insolvency law, but if in an agricultural country like this an inducement be held out for a wholesale declaration of insolvency, a serious blow would be given to national morality. With proper safe-guards the clauses relating to insolvency may work beneficially.

That the law of pre-emption introduced in this Bill, unless considerably modified, is calculated to prove a source of great injustice to the judgment-debtor. It cannot certainly be the object of the legislature to deprive the judgment-debtor of the full value of his property attached for the sake of the convenience or the sentimental feelings of the cosharers, but if section 310 should remain as it is, fair play would be denied to him.

That with regard to provisions as to appeals, Your Memorialists notice that it is proposed (Section 575) to alter the existing law applicable to cases in which two Judges of the High Court may be divided in opinion. Under the Letters Patent of the High Court an appeal in such cases lies to the High Court itself from the decision of the senior Judge, whether the difference of opinion be upon a question of fact or upon a question of law. While provision is now made for referring the appeal to one or more Judges, if the Judges composing the Bench differ in opinion on a point of law, no such provision is made if the Judges should differ on a question of fact. Your Memorialists respectfully submit that the decree in such cases ought not to be affirmed, and that the party aggrieved by a decision so affirmed ought to have the right to appeal from that decision as at present under the Letters Patent, or that the case should be laid before one or more of the Judges of the Court for decision. As the Section 575 is worded it is not clear whether it is the object of the Legislature to take away the right of appeal given by the Letters Patent. If in case of difference of opinion there is to be no decision of the High Court on appeal, then the appeal would be so much waste of money, labour, and public time.

There are other provisions of the Bill, which call for amendment, but as they are generally matters of detail, and as they have already been touched upon in a separate memorial of the British Indian Association to Your Excellency in Council, dated the 8th February last, Your Memorialists take the liberty to declare that they generally subscribe to that memorial, and therefore abstain from further comments on the Bill.

The changes or innovations, which Your Memorialists have briefly noticed above, involve an interference with private rights, which, so far as they are aware, are not sanctioned by the laws of any other British possession, and which seem to be based upon sentimental considerations that had hitherto been foreign to the spirit of English rule and legislation in India. By the allegiance which India offers to England she has the previlege of being raised to the high platform of legal rights and remedies, which have been crystallized bcenturies of constitutional Government, progress in juridical knowledge, and enlightened public opinion; but if the innovations, which they have adverted to above, pass into law, the security of private rights would be endangered, legal remedies would lose their potency, sentiment would usurp the place of justice, distress and disappointment would be rife, and the confidence which the Courts of law now deservedly enjoy would forfeit its hold upon the public mind.

However desirable or necessary it may be to amend the laws in force or to consolidate them from time to time, Your Memorialists with due deference submit that alterations in the existing laws should not be made in haste. Once a law is passed, it becomes a part of the national existence, and any change in it affects the whole framework of society. This is specially the case with laws such as this bill proposes to amend and consolidate. Every section of the present Civil Procedure Code may be said to have become as it were a household word throughout the country; the suitor, the advocate, and the Judge know the exact bearing of each section, and the current of decisions passed upon it, which interpret, modify, or enlarge the right or procedure which hinges upon that section; they must learn and unlearn a great deal before they will be able to place themselves *en rapport* with the new law; they must bury in oblivion their knowledge of all that is repealed, and acquire a fresh knowledge of all that is newly enacted. It is, therefore, of the utmost importance that if changes are to be made, they ought to be most carefully weighed, and the fullest opportunity for the expression of opinion ought to be afforded to those whose vital interests would be affected by those changes.

Your Memorialists are well aware that this Bill has been before Your Excellency's Council for a long time, and they gratefully acknowledge that the Select Committee to whom it has been referred have devoted to it their earnest attention. But they respectfully submit that the amendments made by the Select Committee from time to time have been so numerous and so radical that if the Bill as last amended and published be closely compared with the original draft or even with the immediately preceding draft, the differences would be found to be so great that the last Bill might fitly be considered a new Bill. And when it is remembered how voluminous is the last bill—it consists of 654 sections and 222 folio pages including the schedules—full of details, which in the words of the Hon'ble and learned author of the bill are "as the stars of heaven for multitude," and "embedded in those details," to quote him again, "and underlying them are various principles of considerable importance, some of them of very great importance," —it may be at once perceived what time, labor and care are necessary for the general public to master the Bill thoroughly. The last Bill was published in the *Gazette of India* in September last, but a Bengali translation of it was published so late as the 31st January last. No translation into the Urya and Urdu languages has yet been published in Bengal. In Bombay the Bill has to be translated into four vernacular languages, and Your Memorialists understand that the local Government reported in December last that it would take it at least four months to complete the translations. Then the unfortunate scarcity, which has arisen in the Presidencies of Madras and Bombay, has filled the Governments and people of those Presidencies with a deep gloom, and the task of saving life from starvation now occupies their whole time and energies. They cannot, therefore, be expected to spare time now for a careful consideration of this Bill, though it is of the most vital importance. Such being the case, it would be most lamentable if a Bill of such wide effect and material importance as this should be passed in a hurry without even giving the mass of the population an opportunity of seeing the character of the most important amendments introduced by the Select Committee.

Your Memorialists therefore pray that Your Excellency in Council will be graciously pleased to take the forgoing remarks and suggestions into consideration, to defer the passing of the Bill till its translations into the several vernacular languages are published and the people have had sufficient time to digest the translations, and till the recovery of the Southern and Western Presidencies from the present crisis enable the local Governments and the officers and populations of those Presidencies to devote their attention to it, and to make such alterations in its provisions as may be deemed necessary with reference to the objections and remarks above set forth.

And Your Memorialists as in duty bound shall ever pray.

Prince Ferrokh Shah, Mysore Family, seconded the Resolution.

Dr. Rajendralala Mitra suggested that some words should be added to the memorial shewing that the supposed antagonism between the judiciary and the executive was no valid argument for the withdrawal of the jurisdiction of the Munsif over public officers. The Resolution was accordingly carried with an addition to the effect that the Chairman be authorized to make such alterations in and additions to the memorial as he might think fit.

Prince Ruheemuddeen, Mysore Family, moved the sixth Resolution:

That the proceedings of this Meeting and the memorial just adopted be submitted to His Excellency the Viceroy and Governor General in Council under the signature of the Chairman of this Meeting.

Mr. Cowasji Manickji Rustomji seconded the Resolution.

Carried.

On the motion of the Hon'ble the Maharaja NarendraKrishna thanks were voted to the chair.

The meeting broke up at 6-30 P. M.

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